



**Maina v Republic (Criminal Revision E127 of 2025)
[2025] KEHC 11791 (KLR) (6 August 2025) (Ruling)**

Neutral citation: [2025] KEHC 11791 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT ELDORET
CRIMINAL REVISION E127 OF 2025
RN NYAKUNDI, J
AUGUST 6, 2025**

BETWEEN

CHARLES KAMAU MAINA APPLICANT

AND

REPUBLIC RESPONDENT

RULING

1. The applicant herein was charged with the offence of being in possession of alcoholic drinks contrary to section 27 (1)(b) as read with section 27(4) of the *Alcoholic Drinks Control Act* No.4 of 2010. The brief facts were that Charles Kamau Maina on the 20th day of May 2025, at 0246hrs at Siriat area in Turbo Sub County within Uasin Gishu County was found being in possession of alcoholic drinks to wit 5 litres of chang'aa having not been prepared in accordance with the *alcoholic drinks control Act* No.4 of 2010. He pleaded guilty to the offence convicted and sentenced to a fine of 10,000/= in default 3 months' imprisonment.

Decision

2. The applicant on his own plea of guilty was convicted and sentenced to a fine of 10,000 in default 3 months' imprisonment. As at the time of this revision on sentence under section 362 & 364 of the CPC he had already completed serving the custodial sentence in default of non-payment of fine. The remedy has been spent and nothing for this court to exercise judicial discretion within the enabling provisions of the law. It is so ordered.

DATED, SIGNED AND DELIVERED VIA CTS AT ELDORET THIS 6TH AUGUST 2025

R. NYAKUNDI

JUDGE

