



**Serem v Republic (Criminal Revision E128 of 2025)
[2025] KEHC 11855 (KLR) (6 August 2025) (Ruling)**

Neutral citation: [2025] KEHC 11855 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT ELDORET
CRIMINAL REVISION E128 OF 2025
RN NYAKUNDI, J
AUGUST 6, 2025**

BETWEEN

DAVID SEREM APPLICANT

AND

REPUBLIC RESPONDENT

RULING

Representation:

M/s Sidi for the State

1. The applicant herein was charged with the offence of being in possession of alcoholic drinks chang'aa. The brief facts were that the Applicant on the 11th day of May 2025, at around 0524hrs in Kapkong village in Turbo Sub County within Uasin Gishu County was found being in possession of chang'aa to wit 20 litres without a liquor license. He pleaded guilty to the offence, convicted and sentenced to a fine of 15,000/= in default 3 months' imprisonment.

Decision

2. The applicant on his own plea of guilty was convicted and sentenced to a fine of 15,000 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

