



REPUBLIC OF KENYA



**Cheruiyot v Republic (Revision Case E069 of 2024)  
[2024] KEHC 3343 (KLR) (20 March 2024) (Ruling)**

Neutral citation: [2024] KEHC 3343 (KLR)

**REPUBLIC OF KENYA  
IN THE HIGH COURT AT NAKURU  
REVISION CASE E069 OF 2024  
HM NYAGA, J  
MARCH 20, 2024**

**BETWEEN**

**ELIJAH CHESIRE CHERUIYOT ..... APPLICANT**

**AND**

**REPUBLIC ..... RESPONDENT**

**RULING**

1. This file has been brought up for revision in order to decongest the Nakuru GK Prison.
2. The Applicant was charged with the offence of:  
Stealing Contrary to Section 268 as read with Section 275 of the *Penal Code*.  
The particulars are that;  
On the 27<sup>th</sup> November 2023 at around 0530 hours at Kitur Farm Solai in Rongai Sub county within Nakuru County entered a chicken house of Miriam Chesire Cheruiyot and stole thereon three (3) chickens (1 cock and 2 hens) valued at Kshs. 2,000/= the property of Miriam Chesire Cheruiyot).
3. He pleaded guilty and he was sentenced to serve twelve (12) months imprisonment.
4. The Applicant has served a substantial part of this sentence.
5. The Sentence Review Report by the Probation Officer, Nakuru County found the Applicant suitable for Community Service. It is recommended that he performs the same at Olbonata Secondary School.
6. I find this case fit for Revision and order that the sentence of the trial court be revised. The Applicant is now to serve the remainder thereof under Community Service at Olbonata Secondary School for five (5) months.
7. The terms will be explained to him.



**DATED, SIGNED AND DELIVERED AT NAKURU THIS 20<sup>TH</sup> DAY OF MARCH, 2024.**

**H. M. NYAGA**

**JUDGE**

In the presence of;

C/A Oleperon

N/A for state

