



**Kariuki v Republic (Revision Case E106 of 2024)
[2024] KEHC 3011 (KLR) (20 March 2024) (Ruling)**

Neutral citation: [2024] KEHC 3011 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT NAKURU
REVISION CASE E106 OF 2024
HM NYAGA, J
MARCH 20, 2024**

BETWEEN

JAMES KARIUKI 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:

Distributing alcoholic drinks without licence contrary to section 27(1) (a) as read with Section 27 (4) of the [Alcoholic Drinks Control Act](#) No. of 2010.

The particulars are that;

On the 19th day of December 2023 at around 1400 hours along Rural-Kapsita road in Molo Sub county within Nakuru County, you were found distributing alcoholic drink namely Chang'aa to wit 18 litres in a motor cycle reg. no. KMFS 058N make Haojin Blue Colour and do not confirm with the requirements of the said Act.
3. He pleaded guilty and he was sentenced to pay a fine of Kshs. 50,000/= in default six (6) months in jail.
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 Molo Probation Station.



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 Molo Probation Station for a period of three (3) months.
7. The terms will be explained to him.

DATED, SIGNED AND DELIVERED AT NAKURU THIS 20TH DAY OF MARCH, 2024.

H. M. NYAGA

JUDGE

In the presence of;

C/A Oleperon

N/A for state

NKR H.C.Rev.E106 of 2024 Page 2 of 2

