



**Kipnetich v Republic (Revision Case E101 of 2024)  
[2024] KEHC 3345 (KLR) (20 March 2024) (Ruling)**

Neutral citation: [2024] KEHC 3345 (KLR)

**REPUBLIC OF KENYA  
IN THE HIGH COURT AT NAKURU  
REVISION CASE E101 OF 2024  
HM NYAGA, J  
MARCH 20, 2024**

**BETWEEN**

**BENJAMIN KIPNETICH ..... 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:

Assault causing actual bodily harm Contrary to Section 251 of the *Penal Code*.

The particulars are that;

On the 25<sup>th</sup> day of December 2023 at Karandit Area in Kuresoi South Sub County within Nakuru County, unlawfully assaulted Emily Cheptoo thereby occasioning her actual bodily harm.

3. He pleaded guilty and he was sentenced to pay a fine of Kshs. 50,000/= in default or serve one (1) year 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 Ogiek Primary 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 Ogiek Primary School for a period of nine (9) 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

