



REPUBLIC OF KENYA



**Mosonik v Republic (Revision Case E102 of 2024)
[2024] KEHC 3570 (KLR) (20 March 2024) (Ruling)**

Neutral citation: [2024] KEHC 3570 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT NAKURU
REVISION CASE E102 OF 2024
HM NYAGA, J
MARCH 20, 2024**

BETWEEN

WESLY KIPROP MOSONIK 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:

Threatening to kill, Contrary to Section 223(1) of the *Penal Code*.

The particulars are that;

On the 19th day of December 2023 at Karima Village in Kuresoi North Sub County within Nakuru County, without lawful excuse uttered words “*nitakuuwa*” while armed with a nut, threatening to kill Esther Mutai.

3. He pleaded guilty and he was sentenced to serve 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 Karima 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 Karima Primary School for 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

