



REPUBLIC OF KENYA



**Waithera v Republic (Revision Case E115 of 2024)
[2024] KEHC 2908 (KLR) (20 March 2024) (Ruling)**

Neutral citation: [2024] KEHC 2908 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT NAKURU
REVISION CASE E115 OF 2024
HM NYAGA, J
MARCH 20, 2024**

BETWEEN

JOSEPH THUKU WAITHERA 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 15th day of September, 2023 at Ndimu Farm in Molo Sub County, within Nakuru County, stole a rear door of body of a motor vehicle registration xxxx pick up 1200 valued at Kshs. 8,000/= the property of Samuel Gatheca.
3. He pleaded guilty and he was sentenced to 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 Elburgon Civil Registry Offices.
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 Elburgon Civil Registry Offices for six (6) months.



7. The terms will be explained to him.

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

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H. M. NYAGA

JUDGE

In the presence of;

C/A Oleperon

N/A for state

