



REPUBLIC OF KENYA



**Nduati v Republic (Revision Case E077 of 2024)
[2024] KEHC 3090 (KLR) (15 March 2024) (Ruling)**

Neutral citation: [2024] KEHC 3090 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT NAKURU
REVISION CASE E077 OF 2024
HM NYAGA, J
MARCH 15, 2024**

BETWEEN

DUNCAN GACHOKU NDUATI 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 Preparation to commit a felony contrary to section 308 of the [penal code](#).
3. The particulars are that; On the 13th day of January, 2024 at Jasho Estate in Nakuru West Sub County within Nakuru County, you were found armed with dangerous weapon namely kitchen knife in circumstances that indicate you were so armed with intent to commit a felony.
4. He pleaded guilty and he was sentenced to pay a fine of 10,000/- in default serve one (1) year imprisonment.
5. The Applicant has served a substantial part of this sentence.
6. 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 Rhonda Health Centre.
7. 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 Ronda Health Centre for Two (2) months.
8. The terms will be explained to him.

DATED, SIGNED AND DELIVERED AT NAKURU THIS 15TH DAY OF MARCH, 2024.



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H. M. NYAGA

JUDGE

In the presence of;

C/A Oleperon

N/A for state

