



REPUBLIC OF KENYA



**KENYA LAW**  
THE NATIONAL COUNCIL FOR LAW REPORTING  
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**Kipnetich v Republic (Revision Case E081 of 2024)  
[2024] KEHC 2767 (KLR) (15 March 2024) (Ruling)**

Neutral citation: [2024] KEHC 2767 (KLR)

**REPUBLIC OF KENYA  
IN THE HIGH COURT AT NAKURU  
REVISION CASE E081 OF 2024  
HM NYAGA, J  
MARCH 15, 2024**

**BETWEEN**

**FESTUS 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;

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

The particulars are that;

On the 8<sup>th</sup> day of September 2023, at around 1530 hours at Mauche Village in Mauche Ward of Njoro Sub County within Nakuru County without lawful excuse while armed with bows and arrows threw one short with a warning “bahati yako mzuri Police wamekuja leo ungukuwa maiti” threatening to kill Mathew Langat.

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 Mauche Police 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 Mauche Police Station for Two (2) months.



7. The terms will be explained to him.

**DATED, SIGNED AND DELIVERED AT NAKURU THIS 15<sup>TH</sup> DAY OF MARCH, 2024.**

**H. M. NYAGA**

**JUDGE**

In the presence of;

C/A Oleperon

N/A for state

