



REPUBLIC OF KENYA



**Kirui v Republic (Revision Case E055 of 2024)  
[2024] KEHC 2764 (KLR) (15 March 2024) (Ruling)**

Neutral citation: [2024] KEHC 2764 (KLR)

**REPUBLIC OF KENYA  
IN THE HIGH COURT AT NAKURU  
REVISION CASE E055 OF 2024  
HM NYAGA, J  
MARCH 15, 2024**

**BETWEEN**

**PAUL KIRUI ..... 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;  
Removing forest produce from a public forest without authority Contrary to Section 64(1) (a) as read with Section 64(2) and 68(1) of The *Forest Conservation and Management Act* of 2016.  
The particulars are that;  
On the 7<sup>th</sup> day of January 2024 at Logman Public Forest in Njoro Sub County within Nakuru County unlawfully removed forest produce to wit 4 cider posts with a total destruction caused estimated at Kshs. 50,000/- the property of Kenya Forest Service without a permit or a management agreement issued or entered into by Kenya Forest Service.
3. He pleaded guilty and he was sentenced to pay a fine of Kshs. 100,000/- in default to serve six (6) months 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 Longoman Forest 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 Longoman Forest 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

