



**Luwapere v Republic (Revision Case E059 of 2024)
[2024] KEHC 3087 (KLR) (15 March 2024) (Ruling)**

Neutral citation: [2024] KEHC 3087 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT NAKURU
REVISION CASE E059 OF 2024
HM NYAGA, J
MARCH 15, 2024**

BETWEEN

DUNCAN LUWAPERRE 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;

Breaking into a building and committing a felony contrary to Section 306(a) of the [Penal Code](#).

The particulars are that;

On the 18th day of June 2023 at unknown time during night at at Tee Village in Gilgil Sub County within Nakuru County, broke and entered into a store of Sandaluwapere and stole therein 50kgs of Beans and two iron sheets all valued at Kshs. 5,500/- the property of Sanda Luwapere.
3. He pleaded guilty and he was sentenced;

Serve two (2) years 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 Kiambogo Chief's Camp.



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 Kiambogo Chief's Camp for Six (6) months.

7. 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

