



**Kirui v Republic (Revision Case E155 of 2024)
[2024] KEHC 3921 (KLR) (23 April 2024) (Ruling)**

Neutral citation: [2024] KEHC 3921 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT NAKURU
REVISION CASE E155 OF 2024**

**HM NYAGA, J
APRIL 23, 2024**

BETWEEN

COLLINS 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:

Count I

Stealing Contrary to Section 268 as read with Section 275 of the *Penal Code*.

The particulars are that;

On the 10th day of September 2023 at Keringet Centre, in Kuresoi South Sub-County within Nakuru County jointly stole one mobile phone make Techno Pop 8 valued at Kshs 16,000/= the property of Fredrick Korir.

Alternative Charge

Handling Stolen goods contrary to Section 322(1) (2) of the *Penal Code*.

The particulars are that;

On the 15th day of September 2023 at Keringet Centre, in Kuresoi South Sub-County within Nakuru County, otherwise than in the course of stealing dishonestly, retained one Mobile phone make Tecno Pop 8 valued at Kshs 16,000/= knowing or having reason to believe it to be stolen goods.

3. He pleaded guilty and he was sentenced to pay a fine of Kshs 20,000/= in default one (1) year in jail.



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 Keringet Boarding Primary School.
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 Keringet Boarding Primary School for six (6) months.
7. The terms will be explained to him.

DATED, SIGNED AND DELIVERED AT NAKURU THIS 23RD DAY OF APRIL, 2024.

H. M. NYAGA

JUDGE

In the presence of;

C/A Kipsugut

N/A for state

