



REPUBLIC OF KENYA



KENYA LAW
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**Magu v Republic (Revision Case E151 of 2024)
[2024] KEHC 3905 (KLR) (23 April 2024) (Ruling)**

Neutral citation: [2024] KEHC 3905 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT NAKURU
REVISION CASE E151 OF 2024
HM NYAGA, J
APRIL 23, 2024**

BETWEEN

JAMES KARANJA MAGU ALIAS 'RASTA' 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:
Being in possession of Cannabis Sativa (Bhang) Contrary to Section 3(1) (b) of the [Narcotic Drugs and Psychotropic Substances Control Act](#) No 4 of 1994.
The particulars are that;

On the 14th day of November, 2023 at Casino Village Mau Summit Location, in Kuresoi North Sub County within Nakuru County, was found being in possession of one roll, one stone and 300 (three hundred grammes) of cannabis sativa (bhang) valued at Kshs. 3,200/= in contravention of the said act which was not medically prescribed.
3. He pleaded guilty and he was sentenced to;

Pay a fine of Kshs. 60,000/= in default 12 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 Tayari 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 Tayari Chief's Camp 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

