

REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA AT MOMBASA

PETITION NO. 140 OF 2018

ABDUL RAHAMAN BAKARI *Alias* MAWAZO.....PETITIONER

AND

DIRECTOR OF PUBLIC PROSECUTION.....RESPONDENT

26/11/2020

Court:

I have considered submissions by all parties. The Petitioner did not injure anybody during robber. He has spent 14 years in jail. I have accepted submissions from the State that the Petitioner should be jailed for the time served. In addition, it is important to decongest prison during this time of Covid-19.

Therefore, the Judgment of the Court is this:

1. Petitioner's death sentence is hereby replaced with a jail term of 14 years.
2. Since the Petitioner has already served the said 14 years the Petitioner is hereby freed and set free unless lawfully held.

Dated, Signed and Delivered at Mombasa this 26th day of November, 2020.

E. K. O. OGOLA

JUDGE

Judgment delivered via video link in the presence of:

Petitioner in person

Ms. Balongo for DPP

Ms. Peris Court Assistant