

REPUBLIC OF KENYA

High Court at Mombasa

Criminal Appeal 56 of 2013

(From Original Conviction and Sentence in Criminal Case No. 232 of 2013 of the Senior Principal Magistrate's Court at Voi – S. M. Wahome (SPM))

JOSEPH KANUMBA APPELLANT

- Versus -

REPUBLIC RESPONDENT

J U D G M E N T

The State concedes to a retrial. I have gone through the proceedings of the lower Court and I am satisfied that there is merit in ordering for a retrial. I accordingly revise the conviction and sentence meted out to the Appellant and order for a retrial before a Court of competent jurisdiction.

Dated and delivered at Mombasa this 14th day of May, 2013.

**M. MUYA
JUDGE**

Dated and delivered in open court in the presence of:-

Miss Ochola holding brief for Muya for accused person

Miss Kwangu for the State

Court clerk – Mr. Musundi