

REPUBLIC OF KENYA
IN THE HIGH COURT OF KENYA
AT NYERI
Criminal Appeal 2 of 2004

WILSON GIKONYO GACHUGU.....APPELLANT

Versus

REPUBLIC.....RESPONDENT

*(Being Appeal against the sentence and conviction by R. N. Muriuki, Resident Magistrate,
in the Resident Magistrate's Criminal Case no. 667 of 2003 at Kangema)*

JUDGMENT

Having carefully considered the evidence which was adduced during the trial of the Appellant and bearing in mind what has been brought to my attention during the hearing of this appeal, I hold the opinion that there was sufficient evidence to sustain the Appellant's conviction and therefore do hereby dismiss the Appellant's appeal against his conviction.

However, in the circumstances of this case, I do set aside the sentence of seven years and substitute it with a sentence of five (5) years imprisonment.

Dated this 19th day of February 2007.

J. M. KHAMONI

JUDGE