



**REPUBLIC OF KENYA**  
**IN THE HIGH COURT OF KENYA**  
**AT NAKURU**

**Criminal Revision 49 of 2007**

**REPUBLIC ..... PROSECUTOR**

**VERSUS**

**JOSHUA MURIMI.....1<sup>ST</sup> ACCUSED**

**JAMES MBUGUA.....2<sup>ND</sup> ACCUSED**

**JOHN MUTHIGA..... 3<sup>RD</sup> ACCUSED**

**BERNARD NDUNGU.....4<sup>TH</sup> ACCUSED**

**JUDGMENT ON REVISION**

This matter coming up for revision under the Provisions of Section 364 of the CPC and having considered that the persons found guilty in Criminal Case No.3133/06 are minors, I hereby set aside the sentence of eight months imprisonment. I also **set aside** the sentence in Criminal **Case No.3134/2006** so that the sentence of the subjects can be given fresh consideration while bearing in mind the principles of sentencing under the child offences rules.

Accordingly I refer both files **Criminal Case No.3135/06, Criminal Case No.3133/06** to the Children's Court for sentencing of the subjects.

**M. KOOME**

**JUDGE**

**10/5/2007**