

IN THE HIGH COURT OF KENYA
AT KERICHO
CRIMINAL APPEAL NO. 29 OF 2005

(From original conviction and sentence of the Senior Resident
Magistrate's Court at Bomet in Criminal Case No. 542 of 2005
– J. M. NDUNA (SRM))

CAROLINE CHEPKORIR BII.....PLAINTIFF
VERSUS
REPUBLIC.....DEFENDANT

JUDGMENT

The sentence imposed by the trial magistrate was illegal in so far as it ordered the sentences of one month imprisonment on each of the three counts ought to run consecutively instead of concurrently. The said sentence is therefore set aside. It is substituted by a sentence of this court ordering that the sentence is hereby commuted to the period already served. As the appellant did not seriously challenge her conviction on her own plea of guilty, the appeal on sentence is allowed. She is set at liberty unless otherwise lawfully held.

DATED at NAKURU this 4th day of May 2005.

L. KIMARU

JUDGE