



**IN THE HIGH COURT OF KENYA AT EMBU**

**CRIMINAL APPEAL NO. 79 OF 2003**

**LAWRENCE NJERU MBOGO.....APPELLANT**

**VERSUS**

**REPUBLIC.....RESPONDENT**

**JUDGMENT**

The Learned State Counsel Mr. Omwega concedes the appeal on the ground that the evidence adduced was not sufficient to sustain a conviction.

The appeal of the Appellant is therefore hereby allowed. His conviction quashed and the sentence imposed upon him set aside. The Appellant be set at liberty forthwith unless lawfully detained in some other cause.

**Dated this 4th day of March, 2004.**

**J.M. KHAMONI**

**JUDGE**