

REPUBLIC OF KENYA

**IN THE HIGH COURT OF KENYA AT KISII
CRIMINAL APPEAL NO.148 OF 2002**

**(From original conviction and sentence of the Chief Magistrate's Court at Kisii
in Criminal Case No.577 of 2001 –P. OKILE ESQ., R.M)**

DAVID BUNDI OMWATA APPELLANT

VERSUS

REPUBLIC RESPONDENT.

RULING

The appellant in this case had filed another appeal No.237 of 2002 arising from the same Cr. Case No.557 of 2001 at Keroka Court. That appeal was heard and dismissed by Justice Wambilyangah on 26th September 2002. The court therefore cannot hear the same matter twice.
Appeal is dismissed.

KABURU BAUNI

JUDGE.

30/7/04