

IN THE HIGH COURT OF KENYA
AT MOMBASA
APPELLATE SIDE
CRIMINAL APPEAL NO. 143 OF 2003

(From Original conviction and sentence in Criminal Case No. 1010 of 2003 of the Chief Magistrate's Court, Mombasa)

ALI KIMONGA APPELLANT
VERSUS
REPUBLIC RESPONDENT

Coram: **J W Mwera**
Appellant present
Gumo State Counsel for Republic

JUDGEMENT

The appellant who was charged with drug trafficking pleaded guilty and was sentenced to four (4) years imprisonment with effect from 7.5.2003. He was heard in mitigation then as he has been heard today – more or less on the same basis. Having considered all that, this court sets aside the lower court sentence and substitutes it with one of three years imprisonment. It is hoped that as the appellant puts he will not go back to the life of drug trafficking again. Drugs are a real danger to the society.

Delivered on 8th January 2004.
J MWERA
JUDGE