



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

**APPELLATE SIDE**

**CRIMINAL CASE NO. 857 OF 2002**

**GEOFFREY NJUGUNA MUCHINA.....APPELLANT**

**VERSUS**

**REPUBLIC.....RESPONDENT**

**RULING**

The applicant is supposed to demonstrate to the court tht he has an overwhelming chance of success on appeal. That is the test as set out in the case of Som -v- R. (972) E.A. 476 He has failed to do so. No exceptional circumstances have been raised. This application must fail. The same is hereby dismissed.

**MBOGHOLI MSAGHA**

**JUDGE**

**5/3/2003**