

IN THE HIGH COURT OF KENYA AT KISII

CRIMINAL APPEAL NO.26 OF 2002

(From original SRM's court at Nyamira in criminal case No.838 of 1999)

GEORGE SIGIRA KABORA APPELLANT

VERSUS

REPUBLIC RESPONDENT

JUDGMENT

The evidence of PW3 who is the sister of the appellant proved that the appellant committed arson as charged against him in broad daylight and in her presence. So conviction was safe and the appeal against it is dismissed. But since there was a domestic quarrel and the appellant was said to be drunk at the time of commission of the offence coupled with the fact he was a first offender I reduce the sentence to 3 years imprisonment. It is ordered accordingly.

Dated and delivered on the 23/5/2003.

I.C.C. WAMBILYANGAH
JUDGE