

REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA AT NAIROBI
CRIMINAL APPEAL NO. 1112 OF 2002

(From original conviction and sentence in criminal case No. 387 of 2001 of the Chief Magistrate's Court at Nairobi)

PATRICK NAMONYO WANJALA APPELLANT

VERSUS

REPUBLIC RESPONDENT

JUDGMENT

The appellant Patrick Namoyo Wanjala was charged with the offences of being unlawfully present in Kenya contrary to section 13(2)©; failing to report entry in Kenya contrary to section 3 (1) of the Immigration Act and Failing to Register as an alien contrary to section 4(1) of the Alien Registration Order as read together with section 3(3) of the Aliens Registration Act Cap. 172. He was convicted of the three offences and sentenced to one year for count 2 and 3 and 3000/- for the last count or 6 months imprisonment. He applies to this court seeking that this court orders that the sentences run concurrently.

The State Counsel agrees with this suggestion. The offences arise from one transaction of the appellant entering and remaining in Kenya. The sentences need not have been made consecutive. It is the view of this court that he sentence should run concurrently. It is so ordered. When the appellant serves the one year he should and is hereby ordered repatriated to his country, Uganda.

Dated and delivered at Nairobi this 6th day of May 2003.

D.A. ONYANCHA

JUDGE