

IN THE HIGH COURT OF KENYA AT NYERI
HIGH COURT CRIMINAL CASE NO. 473 OF 2002
(ORG. C. M.'S CR.C. 2324/02)

HARISON NDERITU NDUTHU.....APPELLANT

VERSUS

REPUBLIC.....RESPONDENT

JUDGEMENT

The learned State Counsel Mr. Obuo concedes the appeal and I find no reason to take a different line. He did so after hearing submissions by Mr. H. K. Ndirangu. That being the position, this appeal is hereby allowed. The conviction of the Appellant quashed and the sentence set aside.

The Appellant be set at liberty forthwith unless lawfully detained in some other cause.

Dated this 27th day of October, 2003.

J. M. KHAMONI

JUDGE