

IN THE HIGH COURT OF KENYA AT NYERI
HIGH COURT CRIMINAL APPEAL NO. 202 OF 2003
(ORG. R.M.'S KIGUMO CR.C. 576/02)

SOLOMON CHEGE KIMEAAPPELLANT

VERSUS

REPUBLIC.....RESPONDENT

JUDGMENT

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 the Appellant's advocate Luy W. Mwai.

That being the position, this appeal is allowed. Conviction of the Appellant quashed and the sentence set aside.

The Appellant, if detained in this matter, be released forthwith unless lawfully detained in some other cause.

Dated this 27th day of October, 2003.

J. M. KHAMONI
JUDGE