

REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA AT NYERI

CRIMINAL APPEAL NO. 320 OF 2001

JAMES NDEHU MBURU.....APPELLANT
VERSUS
REPUBLIC.....RESPONDENT
CRIMINAL APPEAL NO. 84 OF 2002
DANCUN GICHORE MUHIA.....APPELLANT
VERSUS
REPUBLIC.....RESPONDENT

**(Appeal from a judgment of the
Principal Magistrate's Court at Muranga,
L. Nyambura,R.M., dated 21stJune 2002 in
Criminal Case No. 680/01)**

JUDGMENT

The learned State Counsel Mr. Oluoch concedes the appeals and gives reasons for that in addition to the reasons given by Mr. Kamau, Counsel for the Appellant James Ndichu Mburu whose Co- Appellant Duncan Gichore Muhia has also given his reasons supporting his appeal.

I have no reason to differ from what they are all saying against the convictions and sentence of the Appellants.

Accordingly the appeal of each Appellant is hereby allowed. His conviction quashed and the sentence imposed upon him set aside. Each Appellant be set at liberty forthwith unless lawfully detained in some other cause.

Dated this 11th day of November, 2003.

J. M. KHAMONI
JUDGE