

REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA AT NYERI

CRIMINAL APPEAL 293 OF 00

JOSEPH NGIGI KIMANIAPPELLANT

VERSUS

REPUBLIC RESPONDENT

JUDGMENT

The appellant was convicted jointly with the appellants in criminal appeals 243/00 and 244/00. For reasons given in the judgment in respect of the said consolidated appeals I allow this appeal. The conviction of the appellant is quashed and sentence set aside. He will be set at liberty forthwith unless he is otherwise lawfully held.

Dated this 22nd day of November 2002.

J.K. MITEY

JUDGE