

REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA AT EMBU

CRIMINAL APPEAL NO.116 OF 2001

PETER MUTURI SYENGOAPPELLANT

VRS

REPUBLIC RESPONDENT

JUDGEMENT

The Appellant was charged in the Resident Magistrate's Court Siakago with the offence of being in possession of cannabis sativa contrary to section 3 as read with section 2(a) of Narcotic Drugs and Psychotropic substances Act No 4 of 1994.

The particulars are that on 15th September, 2001 at Mathigira village in Mbeere District he was found in possession of 20 grammes of bhang. The appellant pleaded guilty and accepted the facts as presented by the prosecution. He was convicted and sentenced to serve 3 years imprisonment. This appeal is first sentence only. The appellant has served slightly a year of the sentence.

I allow the appeal on sentence and order that the sentence imposed be reduced toserved. He will be set at liberty..... unless he is lawfully held.

Dated on this 7th day of November, 2002.

J.V.O. JUMA

JUDGE.