

REPUBLIC OF KENYA
IN THE HIGH COURT OF KENYA AT NAIROBI
CRIMINAL APPEAL NO 1066 OF 2001
(FROM ORIGINAL CONVICTION AND SENTENCE IN CRIMINAL CASE NO 1772
OF 1996 OF THE CHIEF MAGISTRATE'S COURT AT NAIROBI)
YUNIS MOHAMMED DADA.....APPELLANT
VERSUS
REPUBLIC.....RESPONDENT
JUDGMENT

The learned counsel for the Republic concedes this appeal and with respect I agree. The record supports the reasons advanced by the learned counsel and if anything the appellant ought to have been commended for his efforts not condemned. Accordingly, this appeal is allowed conviction quashed and sentence set aside. The appellant is out on bail pending the outcome of this appeal. The appeal having succeeded, the conditions for his release are now vacated and if he paid any cash bail the same should be refunded to him forthwith.

Orders accordingly.

Dated and delivered at Nairobi this 19th day of December, 2001

MBOGHOLI MSAGHA
JUDGE