

REPUBLIC OF KENYA
IN THE HIGH COURT OF KENYA AT NAIROBI
APPELLATE SIDE
HIGH COURT CRIMINAL APPEAL NO.1087 OF 2001

**(From Original Conviction and Sentence in Criminal Case No.4272 of
2000 of The Chief Magistrate's Court at Thika)**

BENEDICT NGIGE NJOROGE..... APPELLANT
VERSUS
REPUBLIC..... RESPONDENT
CONSOLIDATED WITH
CRIMINAL CASE NO.1088 OF 2001

**(From Original Conviction and Sentence in Criminal Case No.4272 of
2000 of the Chief Magistrate's Court at Thika)**

MICHAEL NJOEOGE KAMAU..... APPELLANT
VERSUS
REPUBLIC..... RESPONDENT

JUDGMENT

The learned counsel for the Republic does not support the conviction and with respect we agree. However we do not have the time to write a reasoned judgment today and shall do so on 8th May, 2003.

For now the order shall be that there two appeals are allowed, convictions quashed and sentences set aside. The appellants shall be released forthwith unless otherwise lawfully held. Orders accordingly.

Delivered and dated at Nairobi this 11th March, 2000.

MBOGHOLI MSAGHA

JUDGE

R.M. MUTITU

JUDGE