

REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA

AT VOI

HCCR MSC NO E049 OF 2021

JOHN MBURU WAMBUI.....APPLICANT

VERSUS

STATE.....RESPONDENT

JUDGMENT

I have carefully considered the Petition and the circumstances of robbery. The petitioner has been in jail since 2010. The robbery committed was bad but by God's grace nobody suffered any injuries.

I have considered the mitigation of the Petitioner. I believe that the 11 years served is adequate atonement for his crime. I therefore henceforth lift the death sentence imposed upon the Petitioner. Instead thereof I jail the Petitioner to the term equivalently to that served, with the result that the petitioner is forthwith released from prison unless lawfully withheld.

E.Ogola-Judge

10.3.2021