

REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA

AT NAROK

CRIMINAL REVISION NO. 22 OF 2019

REPUBLICAPPELLANT

VERSUS

PETER MWANGI WANGOMBE.....RESPONDENT

ORDER ON REVISION

1. The above matter has been referred to this court for directions. The Trial magistrate (Hon. T. Gesora, SPM) made an order in the following terms:

“It is hereby ordered; -

1. That as I sat to consider the evidence and render judgement, I realized that part of the testimony of PW 1 is missing. It is therefore not possible for me to complete the judgement.

2. That the matter be place before Hon. Judge for directions as this is clearly a mistrial. Mention on 2/10/2019”

2. In order to enable this court to proceed further, it is hereby directed that the trial magistrate prepares a comprehensive affidavit to explain the circumstances under which part of the testimony of PW 1 went missing.

3. Thereafter, this matter may be placed before the court for further directions.

4. Order on revision made, signed and dated at Narok this 18th day of September, 2019.

J.M. Bwonwonga

Judge

18/9/2019