

REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA
AT NAKURU

CRIMINAL APPEAL 252 OF 2006

PAUL MUCHAI NDEGWA.....APPELLANT

VERSUS

REPUBLIC.....RESPONDENT

JUDGMENT

The Appellant with another were upon their own plea of guilty to the offence of robbery with violence contrary to **Section 296(1)** of the **Penal Code** convicted and each sentenced to 5 years imprisonment. The Appellant has appealed against that conviction arguing that he is remorseful and urged me to reduce the sentence. Mr. Mugambi for the state left the matter of sentence to me.

Having considered the matter I find this appeal totally unmeritorious. The Appellant and his confederates robbed a hapless woman of her bicycle. The sentence of 5 years against 14 years imprisonment provided for the offence cannot be said to be harsh. I therefore dismiss this appeal.

DATED and delivered at Nakuru this 3rd day of October, 2008.

D. K. MARAGA

JUDGE