

IN THE HIGH COURT OF KENYA AT NAIROBI

APPELLATE SIDE

CRIMINAL APPEAL NO. 575 OF 1997

(From Original Conviction(s) and Sentence(s) in criminal case NO. 211 of 1997 of the Resident Magistrate's Court at Gatundu J. L. WANJOHI (Mr)

GEORGE KANGETHE MUCHOKI.....APPELLANT

VERSUS

REPUBLIC.....RESPONDENT

J U D G M E N T

These appeals are consolidated. The two appellants were charged with the offence of shopbreaking and stealing c/s 306(a) of the Penal Code. The record shows that each pleaded guilty to the charge and sentenced to 2(two) years imprisonment. The appeals are against sentence only. The sentence provided under the section is seven years imprisonment with corporal punishment. The sentence of two years imposed by the learned trial magistrate was well merited.

These appeals are accordingly dismissed.

Order accordingly

Dated and delivered at Nairobi this 17th day of December, 1998

MBOGHOLI MSAGHA

JUDGE