



**IN THE HIGH COURT OF KENYA AT NAIROBI**

**APPELLATE SIDE**

**CRIMINAL APPEAL NO. 1100 OF 1995**

**From Original Conviction(s) and Sentence(s) in Criminal Case No. 15722 of 1993 of the Principal Magistrate's Court at MAKADARA**

**JOSEPH MUTHAMIA alias MAINA.....APPELLANT**

**VERSUS**

**REPUBLIC.....RESPONDENT**

**J U D G M E N T**

The appellant herein was charged jointly with the appellant in Criminal Appeal No. 830 of 1995. In dismissing the appeal aforesaid, I observed that the charge was proved beyond any reasonable doubt as the appellant and his co-accused were adequately identified by pw1 and pw2. The evidence was overwhelming and the conviction was well founded. Accordingly this appeal is dismissed.

Order accordingly.

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

**A. MBOGHOLI MSAGHA**

**JUDGE**