



IN THE COURT OF APPEAL

AT NAIROBI

(CORAM: GICHERU, AKIWUMI & LAKHA, JJ.A.)

CRIMINAL APPEAL NO. 125 OF 1990

BETWEEN

BONIFACE NJOROGE.....APPELLANT

AND

REPUBLIC.....RESPONDENT

(Appeal from a sentence of the High Court of Kenya at Nairobi (Justice Tank)

dated 10th May, 1989

in

H.C.CR.A. NO. 916 OF 1987)

JUDGEMENT OF THE COURT

The appeal against conviction is marked withdrawn. However, since this is a second appeal this court cannot interfere with the sentence passed on the appellant under section 361 of the Criminal Procedure Code and the appeal against sentence is struck out.

Dated and delivered at Nairobi this 28th day of July, 1997.

J. E. GICHERU

.....

JUDGE OF APPEAL

A. M. AKIWUMI

.....

JUDGE OF APPEAL

A. A. LAKHA

.....

JUDGE OF APPEAL

I certify that this is a true copy of the original.

DEPUTY REGISTRAR.