



REPUBLIC OF KENYA
IN THE COURT OF APPEAL OF KENYA
AT NAKURU

Criminal Appeal 51 of 1994

KITIPA OLE NKUKUU.....
.....APPLICANT

AND

REPUBLIC.....
.....RESPONDENT

(Appeal from a judgment of the High Court of Kenya at Nakuru (Mr. Justice Rimita) dated 7th December, 1993

IN

H.C.CR.A. NO. 304 OF 1993)

JUDGMENT OF THE COURT

The appellant, Kitipa Ole Nkukuu, was after trial convicted of stock theft contrary to section 278 of the Penal Code and sentenced to 4 1/2 years imprisonment plus 8 strokes of the cane. His appeal to the High Court of Kenya at Nakuru (Rimita, J.) was dismissed.

The trial and the first appellant Courts, in our view, made concurrent findings of fact and we discern no misdirections in them. There is no point of law raised in this second appeal to persuade us to interfere with the conviction. Consequently this appeal is dismissed.

Dated and delivered at Nakuru this 25th day of September, 1995.

J.E. GICHERU

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JUDGE OF APPEAL

P.K. TUNOI

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JUDGE OF APPEAL

A.B. SHAH

.....

JUDGE OF APPEAL

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

DEPUTY REGISTRAR