

REPUBLIC OF KENYA
IN THE HIGH COURT OF KENYA
AT MACHAKOS
CRIMINAL APPEAL NO 228 OF 1987

MBUVIPLAINTIFF

V

REPUBLIC.....DEFENDANT

JUDGMENT

November 3, 1987 Torgbor J delivered the following Judgment.

The appellant appeals against the sentence of the lower court following his conviction on two counts of theft contrary to sections 175 and 279(b) of the Penal Code.

He pleaded guilty to the charges. On count 1 he was sentenced to 3 months imprisonment and on count 2 to 15 months imprisonment plus 6 strokes of the cane. These sentences are excessive and are set aside and substituted by a term of imprisonment for one month on count 1 and 6 months imprisonment on count 2 plus 4 strokes of the cane. Terms of imprisonment to run concurrently accordingly.
Order accordingly.

November 3,1987

TORGBOR

JUDGE