

REPUBLIC OF KENYA

Said v Republic

High Court at Machakos April 1985

O’Kubasu J

Criminal Appeal No 955 of 1984

(Appeal from the Resident Magistrate’s court at Kitui, K D Kibanga Esq)

Advocates

Appellant absent unrepresented and not wishing to be present
Miss C Nyagah for respondent

April 1985, O’Kubasu J delivered the following Judgment.

The appellant was convicted on his own plea of guilty of burglary and stealing contrary to Sections 304(2) and 279(b) of the Penal Code (cap 63). He was sentenced to three years imprisonment with two strokes of the cane on the first limb of the charge and two years imprisonment with one stroke on the second limb of the charge. The sentences were ordered to run concurrently.

I have perused the record of the lower court and it is clear that the appellant was properly convicted on his own plea of guilty. The facts constituting the offence were narrated to the court and the appellant accepted them as correct and true. The sentence imposed was appropriate. Hence I order that this appeal be dismissed in its entirety.

Order accordingly.