



IN THE COURT OF APPEAL

AT MOMBASA

(CORAM: GITHINJI, MAKHANDIA & SICHALE, JJ.A.)

CRIMINAL APPEAL NO. 295 OF 2010

BETWEEN

BAHATI ALI CHENGO.....APPELLANT

AND

REPUBLICRESPONDENT

(Appeal against conviction and sentence of the High Court of Kenya at Malindi (Omondi, J.) dated 28th July, 2010

in

H.C.Cr.C. No. 8 of 2009)

ORDER OF THE COURT

From the nature of the case, the appellant cannot act in person despite his plea. We shall accordingly adjourn this appeal to a date to be fixed in the registry on priority basis. The adjournment has been necessitated by the fact that **Mr. Obara**, learned counsel assigned to prosecute this appeal on behalf of the appellant is absent for reasons that we cannot fathom though served with the hearing notice in good time.

Dated at Malindi this 16th day of April, 2013

E. M. GITHINJI

.....

JUDGE OF APPEAL

ASIKE-MAKHANDIA

.....

JUDGE OF APPEAL

F. SICHALE

.....

JUDGE OF APPEAL

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

DEPUTY REGISTRAR