



Case Number:	Criminal Appeal 29 of 2005
Date Delivered:	04 May 2005
Case Class:	Criminal
Court:	High Court at Kericho
Case Action:	-
Judge:	Luka Kiprotich Kimaru
Citation:	Caroline Chepkorir Bii v Republic [2005] eKLR
Advocates:	-
Case Summary:	Criminal Appeal - sentence - sentence declared illegal by appellate court as the trial court ordered sentence on each count to run consecutively instead of concurrently
Court Division:	-
History Magistrates:	-
County:	-
Docket Number:	-
History Docket Number:	-
Case Outcome:	Allowed
History County:	Baringo
Representation By Advocates:	Neither party represented
Advocates For:	-
Advocates Against:	-
Sum Awarded:	-
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IN THE HIGH COURT OF KENYA  
AT KERICHO  
CRIMINAL APPEAL NO. 29 OF 2005

(From original conviction and sentence of the Senior Resident Magistrate's Court at Bomet in Criminal Case No. 542 of 2005 – J. M. NDUNA (SRM))

CAROLINE CHEPKORIR BII.....PLAINTIFF  
VERSUS  
REPUBLIC.....DEFENDANT

JUDGMENT

The sentence imposed by the trial magistrate was illegal in so far as it ordered the sentences of one month imprisonment on each of the three counts ought to run consecutively instead of concurrently. The said sentence is therefore set aside. It is substituted by a sentence of this court ordering that the sentence is hereby commuted to the period already served. As the appellant did not seriously challenge her conviction on her own plea of guilty, the appeal on sentence is allowed. She is set at liberty unless otherwise lawfully held.

**DATED at NAKURU this 4th day of May 2005.**

**L. KIMARU**

**JUDGE**



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