



Case Number:	Criminal Appeal 22 of 1994
Date Delivered:	01 Oct 1997
Case Class:	Criminal
Court:	Court of Appeal at Nakuru
Case Action:	Order
Judge:	Amrittal Bhagwanji Shah, Philip Kiptoo Tunoi, Richard Otieno Kwach
Citation:	Bonface Njoroge v Republic [1997] eKLR
Advocates:	-
Case Summary:	[Order] Criminal Practice and Procedure - appeal - appeal against judgment of the High Court reducing the offence from robbery with violence to simple robbery - appellant warned that the appeal court would restore the original sentence of death imposed by the trial court - appellant choosing to proceed with the appeal.
Court Division:	Criminal
History Magistrates:	-
County:	Nakuru
Docket Number:	-
History Docket Number:	H.C.C.CR. NO. 733 OF 1988
Case Outcome:	Appeal allowed
History County:	Nairobi
Representation By Advocates:	-
Advocates For:	-
Advocates Against:	-
Sum Awarded:	-

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**REPUBLIC OF KENYA
IN THE COURT OF APPEAL OF KENYA**

AT NAKURU

Criminal Appeal 22 of 1994

BONFACE NJOROGE.....APPELLANT

AND

REPUBLIC.....RESPONDENT

**(Appeal from a judgment of the High Court of Kenya at Nairobi (Mr. Justice S.O. Oguk
& Mr. Justice Msagha Mbogholi) dated 25th November, 1993)**

IN

H.C.C.CR. NO. 733 OF 1988)

ORDER OF THE COURT

The appellant has been informed by this Court that should he continue with this appeal there is a possibility that this court will restore the original sentence of death as ordered by the then Senior Resident Magistrate. The appellant has been explained that the judgment of the superior court reducing the offence to that of simple robbery as distinct from Robbery with Violence was contrary to law. The appellant has understood what has been explained to him and opts to withdraw this appeal. We allow such withdrawal and order that this appeal be and is hereby dismissed.

Made at Nairobi this 1st day of October, 1997.

R.O. KWACH

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JUDGE OF APPEAL

P.K. TUNOI

.....

JUDGE OF APPEAL

A.B. SHAH

.....

JUDGE OF APPEAL

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

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