

**IN THE HIGH COURT OF TANZANIA
AT ARUSHA**

CRIMINAL APPEAL NO. 26 OF 2006

ALEX GEORGE - APPELLANT

- Versus -

THE REPUBLIC RESPONDENT

J U D G M E N T

BWANA, J.

1. The Appellant was charged and convicted of Armed Robbery contrary to Section 285 and 286 of the Penal Code. He was sentenced to a prison term of 15 years. He now appeals against both conviction and sentence. He has raised seven grounds of appeal.
2. The Respondent does not support the conviction and sentence as the prosecution side failed its duty of proving the case beyond reasonable doubts. It

is also conceded by the Respondent that there are serious contradictions in the evidence of PWs.

3. I have examined the record in the light of what has been submitted, by both parties hereto. I do concur with the Respondent's views. Accordingly, this appeal succeeds. The conviction is quashed and sentence set aside. I do further Order that unless the Appellant is otherwise lawfully held, he should be set free forthwith.



S. J. BWANA

JUDGE

10/9/2007

Date: 10/9/2007

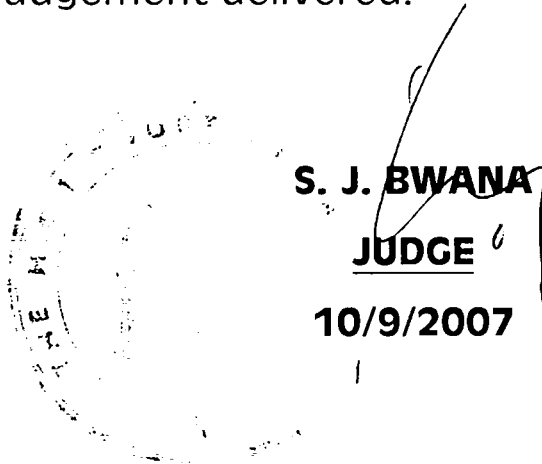
Coram: S. J. Bwana, J.

For Appellant: Present in person.

For Respondent: Mr. Sarakikya.

B/c: s.m.

Court: Judgement delivered.



S. J. BWANA
JUDGE
10/9/2007

SJB/jn.