**Nganga v Republic**

**Division:** High Court of Kenya at Nairobi

**Date of judgment:** 31 October 1974

**Case Number:** 412/1974 (9/75)

**Before:** Sir James Wicks CJ and Trevelyan J

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*[1] Criminal Practice and Procedure – Sentence – Rogue and vagabond – Increased sentence only allowed when previous offence under the section – Penal Code, s.* 183 (*K.*).

**Editor’s Summary**

The appellant was sentenced to 12 months’ imprisonment for being a rogue and vagabond. None of his previous convictions were for this offence.

**Held –** an increased sentence can only be awarded when there is a previous conviction of being a rogue and vagabond.

Sentence reduced.