

R. v. SHEM NYALONGO.

CRIMINAL REVIEW CASE No. 52 OF 1942.

Sentences—separate sentence should be passed in respect of each count—charge of housebreaking and theft can be put into one count.

Where an accused is found guilty on more than one count a separate sentence should be passed in respect of each count. The sentences may be made concurrent in proper cases. Where a person is accused of housebreaking and theft from the building only one count is necessary to cover both offences and in that case only one sentence would be necessary.

See also *R. v. Kantolombo White* and *R. v. Popeye Kalingula* 4 N.R.L.R. 217.

Law, C.J.: A plea of guilty was recorded to the charge and one sentence was passed. The charge, however, was split up into two counts. Where this is done separate sentences should be passed in respect of each count though, in proper circumstances, such sentences may be made concurrent. In the present case one count would have sufficed to cover sections 271 (1) and 243 Penal Code. But the accused has not suffered any injustice by reason of the form in which the charge was presented.