



REPUBLIC OF KENYA



KENYA LAW
THE NATIONAL COUNCIL FOR LAW REPORTING
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**Republic v Musyoka (Criminal Case E018 of 2020)
[2022] KEHC 14705 (KLR) (21 October 2022) (Sentence)**

Neutral citation: [2022] KEHC 14705 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT MOMBASA
CRIMINAL CASE E018 OF 2020
A. ONG'INJO, J
OCTOBER 21, 2022**

BETWEEN

REPUBLIC PROSECUTOR

AND

FRANCIS STEPHEN MUSYOKA ACCUSED

SENTENCE

Mitigation

We submit for a lenient sentence for the following 3 reasons:-

1.
 - a. The accused is the only bread winner and he's elderly parents heavily rely on him to cater for their basic needs.
2.
 - b. The accused is remorseful of his actions that led to the unfortunate events that occurred. The death was not pre-meditate.
3.
 - c. This being an incident that occurred between members of the same family. My client has sought forgiveness from the family members of his uncle. He is well aware of his actions and ripple effects it has caused. He has learnt his lessons and will not repeat offence.
4.
 - d. Given the action was committed without predetermined mind we pray for a lenient sentence.



Order

5. This court has considered the accused persons mitigation as well as the contents of the Victim Impact Statement and finds that a life having been lost, the accused deserves a commensurate punishment.
6. He is sentenced to serve 20 years Imprisonment to run from November 30, 2020 when he was arraigned in court.
7. Right of Appeal – 14 days.

DATED, SIGNED AND DELIVERED IN OPEN COURT THIS 21ST DAY OF OCTOBER 2022

HON. LADY JUSTICE A. ONG'INJO

JUDGE

Later at 12:37 pm

Ogwel - Court Assistant

Ms Kambaga for State

Mr. Motuka for Accused

Accused - Present in Person

