

REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA

AT KISII

CONST. PETITION NO.22OF 2019

JOSEPH RAGIRA.....APPLICANT

VERSUS

REPUBLIC.....RESPONDENT

RULING-RESENTENCING

The applicant seeks resentencing for having the Supreme Court decision that declared the death sentence unconstitutional.

The facts of the case are that the applicant stabbed the deceased who died instantly. A life was lost as a result of the unlawful acts of the applicant.

The applicant has been in custody from that time he was charged and was condemned to death. In light of the Supreme Court decisions that declared the death sentence unconstitutional, bearing in mind the circumstances of the case the period the applicant has spent in custody. I resentence him to a period of 30 years in jail from the date of sentence in the High Court. He has a right of appeal within 14 days.

Dated, signed and delivered at Kisii this 11th day of March 2020.

R.E. OUGO

JUDGE

In the presence of;

Applicant Joseph Ragira

Mr. Otieno Senior Prosecution Counsel office of the DPP

Ms. Rael Court Clerk