



**REPUBLIC OF KENYA**

**IN THE HIGH COURT OF KENYA AT KISII**

**CORAM: D.S MAJANJA J.**

**CRIMINAL CASE NO. 38 OF 2013**

**REPUBLIC.....PROSECUTOR**

**VERSUS**

**JOSEPHAT ABUNDA NYANGOTO .....ACCUSED**

**RULING ON SENTENCE**

The accused, JOSEPHAT ABUNDA NYANGOTO, was charged and convicted of the murder of ALICE NYABONYI TAMARO which took place on 8<sup>th</sup> March 2013.

I am now called upon to impose an appropriate sentence. The prosecution notes that he may be treated as a first offender and deserves a sentence of not less than ten (10) years imprisonment. The counsel for the accused suggests five (5) years imprisonment taking into account the time served.

I have considered the facts surrounding the offence and the time served while in remand. I hereby sentence the accused to twenty (20) years imprisonment to commence from **8<sup>th</sup> April 2013.**

Right of appeal explained.

**Dated and delivered at Kisii this 28<sup>th</sup> day of November 2018.**

**D.S MAJANJA**

**JUDGE**

Mr. Otieno, Senior Prosecution Counsel, instructed by Office of Director of Prosecutions.

Mr. Magara Advocate, for the accused.