

REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA AT KISII

CORAM: D.S MAJANJA J.

CRIMINAL CASE NO. 40 OF 2015

BETWEEN

REPUBLIC.....PROSECUTOR

AND

JOSEPH KIMONGE MARANGAACCUSED

RULING ON SENTENCE

The accused JOSEPH KIMONGE MARANGA was initially charged with murder but convicted of manslaughter. From the evidence, the accused fought with the deceased at a bar and stabbed him with a wheel spanner.

I have considered that he is a first offender and he seeks leniency. The probation report shows that he had previous criminal antecedents and the victim's family, according to the prosecution, insists that the accused be given a custodial sentence,

Considering all the factors, I hereby sentence JOSEPH KIMONGE MARANGA to seven (7) years imprisonment. Right of appeal explained.

Ruling read and delivered in open Court this 21st December 2018.

D.S Majanja

Judge

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

Mr. Nyangwencha, advocate for the accused.