

REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA AT MERU

CRIMINAL APPEAL NO. 35 OF 2014

HAGGAI KIBWI MUROKI APPELLANT

VERSUS

REPUBLIC RESPONDENT

(From the original conviction and sentence in criminal case No.1220 of 2014 of the Chief Magistrate's Court at Maua by Hon. J.G King'ori – Chief Magistrate)

JUDGMENT

The appellant, **HAGGAI KIBWI MUROKI**, was convicted after he pleaded guilty to an Offence of manslaughter contrary to section 202 as read with section 205 of the Penal Code.

The particulars of the offence were that on 21st January 2012 at Amaku Sub location in Igembe South District of Meru County, unlawfully killed **STEPHEN MURIUKI M'MUNORU**.

The appellant was sentenced to serve 30 (thirty) years imprisonment. He now appeals against the sentence.

The appellant was in person. He contended that he was a first offender and that the sentence was harsh in the circumstances of the case.

The state opposed the appeal through Mr. Odhiambo, the learned counsel who argued that the sentence was appropriate.

After perusing the record, I am find that the appellant was not provoked in any way. I do not have materials on record which can persuade me to interfere with the sentence. I therefore dismiss the appeal and uphold the sentence by the learned trial magistrate.

DATED at Meru 20th day of December 2016

KIARIE WAWERU KIARIE

JUDGE