



**REPUBLIC OF KENYA**

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

**CRIMINAL CASE NO. 41 OF 2012**

**REPUBLIC.....PROSECUTOR**

**VERSUS**

**GILBERT ROTICH RONO.....ACCUSED**

**RULING ON SENTENCE**

1. The accused had initially been charged with Murder contrary to **Section 203** as read with **Section 204** of the **Penal Code**. After plea bargaining the charge was reduced to Manslaughter for which the accused was convicted.
2. The circumstances leading to the offence are clear from the facts. The accused and the deceased fought before the stone throwing started. The social inquiry report shows that the accused is aged twenty three (23) years and unmarried. The two families are said to have negotiated and agreed to reconcile. Accused has been in custody for two years and three months.
3. Considering the circumstances leading to the commission of the offence and the social inquiry report I find this to be a suitable case for referral to probation. This will enable the accused undergo counselling and guidance.

I therefore sentence the accused to serve on Probation for three (3) years.

The conditions are clearly explained to him.

**Dated, signed and delivered in court this 17th day of February, 2015.**

**H. ONG'UDI**

**JUDGE**

**In the presence of:**

M/s Kivali for State

Mr. Akinyi for accused

Lagat- court assistant