



**REPUBLIC OF KENYA**  
**IN THE HIGH COURT OF KENYA AT KERICHO**  
**CRIMINAL CASE NO. 24 OF 2011**

**REPUBLIC ..... PROSECUTOR**

**VERSUS**

**SAMWEL KIPYEGON BOR..... ACCUSED**

**RULING ON SENTENCE**

1. The accused was initially charged with Murder which was reduced to Manslaughter after plea bargaining.

The circumstances leading to the offence are very clear from the facts.

2. The Probation officer has presented a very detailed report on the accused, deceased and the two communities.

The accused was provoked beyond words by the deceased 's conduct.

3. The accused is a first offender.

He has been in custody now for three and three quarters ( $3\frac{3}{4}$ ) years. I have considered all this and I find him suitable for a non-custodial sentence.

He is sentenced to serve eighteen (18) months on Probation

4. Conditions are explained.

**Dated, signed and delivered this 27<sup>th</sup> day of March, 2015**

**H.I. ONG'UDI**

**JUDGE**

**In the presence of ;**

M/S Kivali for State

Mr. Kirui for accused - absent

Accused

Lagat – Court Assistant