

REPUBLIC OF KENYA
IN THE HIGH COURT OF KENYA AT KERICHO
CRIMINAL CASE NO. 19 OF 2010

REPUBLIC.....PROSECUTOR

VERSUS

JACKSON KIMUTAI.....ACCUSED

RULING ON SENTENCE

- The accused was convicted for Manslaughter contrary to **Section 202** as read with **Section 205** of the **Penal code** after a plea bargaining arrangement.
- The circumstances leading to the commission of the offence are in the facts.
- The accused overreacted and caused a fatal injury to the deceased.
- He has been in custody for four (4) years.
- The social inquiry report filed herein is not supportive of a non custodial sentence.
- I have considered all the above. A sentence of 2 ½ years imprisonment is appropriate in the circumstances. It is so ordered.

Dated, signed and delivered in open court this 13th day of March, 2015.

.....

H. ONG'UDI

JUDGE

In the presence of:

M/s Mwangi for State

Mr. Miruka for accused

Lagat- court assistant