



REPUBLIC OF KENYA
IN THE HIGH COURT OF KENYA AT KERICHO

CRIMINAL CASE NO. 28 OF 2013

REPUBLICPROSECUTOR

VERSUS

PAUL KIPNGETICH ROTICH.....1ST ACCUSED

JOSPHAT KIPKOECH ROTICH.....2ND ACCUSED

R U L I N G O N S E N T E N C E

Both accused were charged with murder contrary to **Section 203** as read with **Section 204** of the **Penal Code**. The charge was reduced to Manslaughter after plea bargaining. They were then convicted on admission.

The accused persons and the deceased were brothers. I find the serious attack on the deceased by both accused persons to have been uncalled for.

The social inquiry report shows that the home environment is receptive to their return.

The accused persons have been in custody for one (1) year eight (8) months.

I sentence each to four (4) years to be served as follows:

- (i) The first one (1) year will be served in prison (one year imprisonment).
- (ii) The next three (3) years on probation. Conditions explained.

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

H.I. ONG'UDI

JUDGE

In the presence of :

M/s Mwangi for State

Mr. Maengwe for accused

Lagat – Court Assistant