

REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA AT KISII

CRIMINAL CASE NO.8 OF 2012

REPUBLIC - PROSECUTOR

VERSUS

DISHON ISABOKE - ACCUSED

SENTENCE

1. The accused herein, **DISHON ISABOKE** pleaded guilty to **Manslaughter** after a plea bargain agreement. The particulars of the charge were that on 16th January 2012 at Kiago village, Nyamache Diuistrict within Kisii County unlawfully caused the death of **FLORENCE NYOMENDA ISABOKE**.
2. The deceased in this case was the mother of the accused whom he killed after a disagreement over the little quantity of tea that his mother had given him in a cup.
3. In mitigation, Mr. Ogari advocate for the accused submitted that the accused was a young man aged 23 years and he was remorseful for accidentally killing his mother over a small disagreement and that he did not intend to kill her.
4. The Probation Officer's Report favours the release of the accused on a non-custodial sentence in view of the fact that he is remorseful, his family and community had forgiven him and were ready to accept him in their midst.
5. The accused is a first offender and has been in custody for 3 years and 11 months while awaiting his trial.
6. After considering all the above factors, I find that the accused is suitable for a non-custodial sentence.
7. I hereby sentence him to 18 months Probation during which time he will be under the supervision of the Probation Officer of his area.
8. It is so ordered.

Dated, signed and delivered in open court this 17th day of November, 2015

HON. W. OKWANY

JUDGE

In the presence of:

- Mr. Mbelete for the State
- M/S Ogari for the Accused
- Ogega: court clerk