

REPUBLIC OF KENYA
IN THE HIGH COURT OF KENYA AT KERICHO
CRIMINAL CASE NO. 39 OF 2012

REPUBLICPROSECUTOR

VERSUS

NICHOLAS KIPKEMOI NGENO.....ACCUSED

RULING ON SENTENCE

The accused was charged with the offence of Murder which was later reduced to Manslaughter after a plea bargaining arrangement.

The circumstances giving rise to this incident are well outlined in the facts. The social inquiry report does not recommend a non-custodial sentence for reasons set out in the said report.

I have considered the accused's mitigation; the social inquiry report; the circumstances giving rise to this incident and accused's stay of two(2) years in custody. I do find a non-custodial sentence not justified at all. He will serve five (5) years imprisonment.

Dated, signed and delivered this 21st day of November, 2014

H.I. ONG'UDI

JUDGE

In the presence of:

M/S Kivali for State

Mr. Maengwe for accused

Accused

Korir – Court Assistant