

REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA AT KERICHO

CRIMINAL CASE NO. 34 OF 2012

REPUBLIC PROSECUTOR

VERSUS

MARK KIPSIELE KOROS ACCUSED

RULING ON SENTENCE

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

The deceased was the accused's wife. The circumstances of the case are explained in the facts. A social inquiry report shows that the family of the deceased has not come to terms with the death of the deceased. They are not ready for any reconciliation. The report on the ground shows that its safer for the accused not to be given a non-custodial sentence. He has been in custody since October 2012(*a period of two years*).

After considering all the circumstances and the young children who are now at home without parents, I do find a sentence of five years to be appropriate. It will be served as follows:

1. *The first 2½ years will be a Prison sentence (imprisonment).*
2. *Next 2½ years to be served on Probation for the sake of the children. The conditions are explained to the accused.*

Dated, signed and delivered this 18th day of November, 2014

H.I. ONG'UDI

JUDGE

In the presence of

M/S Keli for State

Mr. Miruka for accused

Accused -present

Rotich -Court Assistant

Interpretation – English/Kipsigis