

REPUBLIC OF KENYA

High Court at Kakamega

Criminal Case 22 of 2010

REPUBLIC.....PROSECUTOR

V E R S U S

ELIZABETH ASIKO ELAN.....ACCUSED

S E N T E N C E

The accused person was found guilty of the offence of manslaughter contrary to **Section 202** as read with **Section 205** of the **Penal Code**. Miss Andia, counsel for the accused submitted that the accused is remorseful. She is 47 years old and has 7 children. She was the sole bread winner as her husband is mentally unstable.

I note that the accused caused the death of the victim by conducting an abortion yet she is not a medical practitioner. Taking the period the accused has been in custody, and the circumstances of the case, the accused is hereby sentenced to serve **one (1)** year imprisonment.

Delivered, dated and signed at Kakamega this 31st day of January, 2013

SAID J. CHITEMBWE
J U D G E