

REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA AT MACHAKOS

CRIMINAL CASE NO. 27 OF 2010

REPUBLIC

VERSUS

PAUL WAMBUA NZENGI ACCUSED

SENTENCE

The accused is being treated as a first offender. I have considered the mitigation and the Probation Officer's report. Although the accused is remorseful and the Probation Officer's report favourable, it is noted that the accused hit the deceased with a metallic tool during the fight.

The deceased died due to hemorrhagic shock due to wounds on the face and forehead. The act by the accused reflects aggravated circumstances. This court is therefore not inclined to mete out a non-custodial sentence. The accused is hereby sentenced to five years imprisonment.

Right of Appeal 14 days.

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B. THURANIRA JADEN

JUDGE

Dated and delivered at Machakos this 24th day of July 2013.

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B. THURANIRA JADEN

JUDGE