



**REPUBLIC OF KENYA**  
**IN THE HIGH COURT OF KENYA AT ELDORET**  
**CRIMINAL APPEAL NO. 16 OF 2011**

**HENRY RONO:.....:APPELLANT**

**VERSUS**

**REPUBLIC:.....:RESPONDENT**

**JUDGEMENT**

The appellant, HENRY RONO, was convicted for the offence of Grievous harm contrary to Section 234 of the Penal Code. He was then sentenced 10 years imprisonment.

His appeal was only in relation to the sentence.

The appellant said that his children used to rely on their mother after he was sent to prison. However, their mother had been taken ill, suffering from cancer. She had, therefore, gone to seek for treatment.

As the children had now been left on their own, the appellant asked this court to give him an opportunity to go back home to look after his children.

In answer to the appeal, Ms. Ruto, learned state counsel, submitted that the sentence was very reasonable in the circumstances.

The Respondent pointed out that the victim of the appellant's assault suffered serious injuries.

The complainant was assessed by the medical doctor to be about 83 years old.

The appellant attacked her with a panga, causing her multiple cut wounds on her body. The complainant also suffered a fractured skull. She was therefore lucky to be alive.

Pursuant to section 234 of the Penal Code, the sentence prescribed for the offence of Grievous Harm is Life Imprisonment. Accordingly, the sentence of 10 years imprisonment is lawful.

I have found no reason in law or in fact to interfere with the said sentence.

Whilst I appreciate that the appellant's children may be in need of attention, I also note that the appellant is suffering the direct consequences of his actions.

Accordingly, this appeal is dismissed, because it has no merits.

**DATED, SIGNED AND DELIVERED AT ELDORET**

**THIS 23<sup>RD</sup> DAY OF OCTOBER, 2013**

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**FRED A. OCHIENG**

**JUDGE**