



REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA AT KISUMU

MURDER CASE NO. 51 OF 2008

REPUBLIC.....PROSECUTOR

VERSUS

JUSTUS ANDANJE LINYURU.....ACCUSED

RULING ON SENTENCE

I have considered the case, the circumstances surrounding the same and the mitigation. The offence by the accused is no doubt serious especially taking into account the position he held as a law enforcer before his arrest. Nonetheless I have taken into account that he is a first offender, he is remorseful and the fact that there was provocation. However there is no justification for unlawfully taking the life of another and he deserves to be punished.

Taking into account that the accused has already been in custody for 4 years, I will sentence him to a period of 12 years imprisonment.

DATED AND DELIVERED THIS 8TH DAY OF MAY, 2012.

ALI-ARONI

JUDGE

In the presence of:

..... **for State**

..... **Appellant present in person.**