

REPUBLIC OF KENYA
IN THE HIGH COURT OF KENYA
AT BUSIA
Murder Case 9 & 18 of 2010

(From Bungoma Murder case no.18/2010)

REPUBLIC.....PROSECUTOR

VERSUS

PETER OKWARE OBWANG.....ACCUSED

SENTENCE

The accused who had been drinking changaa or local brew with his brother hit his brother with a stick on the head and back. The injuries caused, led to the deceased's death. There is no evidence that there was animosity between the two. There is no evidence either of the reason of their quarrel that fateful night after they had been together in happiness the whole day. Clearly therefore, the calamity sprung from drunkenness. If that is what drunkenness causes, then it must be eliminated or refunded. Those who make themselves drunk should their be aware that if they commit breach of law, they will not be excused.

Taking all into account, the court thinks and hereby commits accused to prison for a period of 12 twelve months.

Orders accordingly

Dated and delivered at Busia this 15th day of July, 2010.

D.A ONYANCHA

JUDGE