



**REPUBLIC OF KENYA**  
**IN THE HIGH COURT OF KENYA AT ELDORET**  
**CRIMINAL APPEAL NO. 114 OF 2007**

**RICHARD CHEPOTIBIN CHEPTIRIN..... APPELLANT**

**VERSUS**

**REPUBLIC ..... RESPONDENT**

*(Being an appeal against Judgment from Kabarnet Magistrate's Court Criminal Case No.169 /2007 delivered by H.M.NYAGA (SRM) on 17<sup>th</sup> September, 2008)*

**J U D G M E N T**

The appellant was convicted for the offence of defiling an under 14 year old girl and he was sentenced to serve a term of imprisonment of 20 years. He filed the appeal against conviction and sentence but at the hearing he abandoned his appeal against conviction and prayed for a reduction of the term of imprisonment. The state opposed the appeal on sentence. For defiling a child aged 14 years the minimum sentence is twenty years. That is what the accused got. There is no lesser punishment. The appeal against sentence is without merit and it is accordingly dismissed.

**DATED SIGNED AND DELIVERED AT ELDORET THIS 21<sup>ST</sup> DAY OF OCTOBER, 2010.**

**P.M. MWILU**  
**JUDGE**

**In the presence of;**

Appellant

Kabaka – State Counsel

Andrew Omwenga – Court Clerk

**P.M. MWILU**  
**JUDGE**