

REPUBLIC OF KENYA
IN THE HIGH COURT OF KENYA
AT MACHAKOS
Criminal Case 20 of 2006

REPUBLIC**PROSECUTOR**

VERSUS

SAMMY DAVID MUKONYONGO.....ACCUSED

26/6/06

Coram

D.A. Onyancha,J

Advocate for accused- Wambua

Principal Counsel for republic –Omirera

CC-Mueni

SENTENCE

This incident was preceded by a drinking spree by the accused and deceased. When the two returned home, the accused visited the deceased to seek tobacco leaves for smoking. It is not clear why the two fought at this moment but deceased appears to have picked an iron bar and hit accused on the face. Accused snatched it and assaulted the deceased with it on the stomach and head leading to infliction of serious and fatal injuries. It may be said therefore that deceased brought this occurrence on himself. Accused has been in remand for about 9 months and regrets the offence. He pleaded guilty and is a first offender. He prays for leniency.

Having considered all the mitigating factors, it's the courts decision that accused should serve a jail sentence of 9 months. It is so ordered.

D.A. ONYANCHA

JUDGE

26/6/06