



**Republic v Bett (Criminal Case E014 of 2021)
[2025] KEHC 4829 (KLR) (23 April 2025) (Judgment)**

Neutral citation: [2025] KEHC 4829 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT BOMET
CRIMINAL CASE E014 OF 2021
JK NG'ARNG'AR, J
APRIL 23, 2025**

BETWEEN

REPUBLIC PROSECUTION

AND

GIBSON KIPNGETICH BETT ACCUSED

JUDGMENT

1. The Accused, Gibson Kipngetch Bett was charged with the offence of murder contrary to section 203 as read with section 204 of the *Penal Code*. The particulars of the offence were that on 7th August, 2021 at Berea Village, Kitoben Sub-Location of Mugango Location in Bomet County murdered Vicoty Chepngetich.
2. The Accused took plea on 21st September, 2021 where he pleaded not guilty to the charge of murder.
3. On 22nd May, 2024, the Accused informed this court that he wished to plea bargain with the State. The Plea Bargaining Agreement filed on 15th October, 2024 indicated that the Accused had agreed to plead guilty to the lesser offence of manslaughter.
4. On 17th October, 2024 this court accepted the Plea Agreement after interviewing the Accused and satisfying itself that he executed the Plea Agreement voluntarily and that he understood his trial rights.
5. On 13th November, 2024 the Accused took plea for the offence of manslaughter. The charge and every element thereof was read and explained to him in the Kipsigis language which he understood and he pleaded guilty. The court entered a plea of guilty for the offence of manslaughter.
6. The Facts as read by the Prosecutor and captured in the Plea Agreement are as follows:-

“On 7th August, 2021 the accused person herein Gibson Kipngetch Bett at Berea village, Kitoben Sub-Location, Mugango Location, Bomet Central Sub County within Bomet



County murdered Vicoty Chepngetich. On 7th August, 2021, the accused person had gone to work and arrived at his house at around 2330hrs. The accused person woke his wife, the deceased to open the door for him. The deceased wife took long in opening the door which prompted the accused to suspect that something was not right. Immediately after opening the door, a man by the name Peter Langat came out and ran away. The accused had heard that his deceased wife was having an affair with the said Peter Langat and he used to come to the accused's house in his absence. When the accused entered his house, he started beating his wife. He cut the deceased using a panga on the head and hands and as a result she bled profusely. The deceased was rushed to Longisa County Referral Hospital. She was admitted at the Hospital, however she passed away while undergoing treatment.”

7. The Accused accepted the facts as true and was convicted on his own guilty plea for the offence of manslaughter contrary to section 202 as read with section 205 of the [Penal Code](#).

Pre-Sentence Report

8. A pre-sentence probation report dated 14th February, 2025 was filed following the court's direction. The report stated that the Accused is remorseful and seeks forgiveness from the court. He initiated a reconciliation process between his family and the victim's, a process that is now complete. He is thankful to the victim's family for accepting his apologies. He prays for leniency from the court, pleading to be released on non-custodial sentence. He promises to abide by all set conditions.
9. The report further stated that the local community has accepted the outcome of the reconciliation process between the two families and do not wish to further involve itself in the matter. It is not opposed to the offender's prayers of being granted a non-custodial sentence.
10. The Probation Officer recommended the Accused was suitable for a probation sentence of three years.
11. Sentencing serves multiple purposes as enumerated in the [Sentencing Policy Guidelines](#) 2023 which outline the objectives of sentencing at paragraph 1.3.1 as follows:-

Sentences are imposed to meet the following objectives. There will be instances in which the objectives may conflict with each other- in so far as possible, sentences imposed should be geared towards meeting the objectives in totality.

- i. Retribution.
 - ii. Deterrence.
 - iii. Rehabilitation.
 - iv. Restorative justice.
 - v. Community Protection.
 - vi. Denunciation.
 - vii. Reconciliation.
 - viii. Reintegration.
12. The penal section for the offence of manslaughter is contained in section 205 of the [Penal Code](#) which provides:-

Any person who commits the felony of manslaughter is liable to imprisonment for life.



13. In the final analysis, having considered the circumstances of the case, the Accused's Mitigating circumstances, the Pre-Sentence Report, the Victim Impact Statement and the applicable Law, I make the following orders: -

- i. The accused is sentenced to serve 4 years' imprisonment.
- ii. The sentence to run from the date of plea taking being 21st September, 2021.
- iii. 14 days right of appeal is granted.

Orders accordingly

SENTENCE DELIVERED, DATED AND SIGNED AT BOMET THIS 23RD DAY OF APRIL, 2025.

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HON. JULIUS K. NG'ARNG'AR

JUDGE

Sentence delivered in the presence of Njeru for the State, Chirchir for the Accused. Siele/Susan (Court Assistants).

