



REPUBLIC OF KENYA



KENYA LAW
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**Republic v Manga & 3 others (Criminal Case E036 of 2022)
[2025] KEHC 10918 (KLR) (23 July 2025) (Sentence)**

Neutral citation: [2025] KEHC 10918 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT BUNGOMA
CRIMINAL CASE E036 OF 2022
REA OUGO, J
JULY 23, 2025**

BETWEEN

REPUBLIC PROSECUTOR

AND

MICHAEL AYEKHA MANGA 1ST ACCUSED

HAMPHREY SICHANGI WANYAMA 2ND ACCUSED

ELIAS WEKESA WAFULA 3RD ACCUSED

HENRY MANYASA OPICHA 4TH ACCUSED

SENTENCE

1. Michael Ayekha Manga (1st Accused), Humphrey Sichangi Wanyama(2nd Accused) Elias Wekesa Wafula (3rd Accused) and Henry Manaysa Opicha (4th) murdered Alfred Wanyonyi Namusasi on the 30th of November 2022. This ruling is on sentence.
2. The first accused, in mitigation, states that he is a first offender and remorseful. He is 30 years old and the sole breadwinner for his daughter and mother. He has no previous criminal record. He maintains good relationships within the community. He requests that the court consider the cultural defence within the Luhya community, as they hold strong cultural beliefs regarding witchcraft.
3. Mr. Wanjala submitted on behalf of the 2nd, 3rd, and 4th accused that the accused persons are remorseful; they appeal for leniency given the circumstances and their status as neighbours of the deceased. They are young men with young families and have been in custody. They have learnt to be good citizens.
4. I have read and considered each pre-sentence report. The accused persons are each currently serving 20 years' imprisonment for the offence of arson, which took place on the same day. The first accused is 31



years old, the second accused is 44 years old, the third accused is 22 years old, and the fourth accused is 44 years old. They have families who depend on them.

5. The victim's family are still pained and enraged by the loss of their kin. The deceased was their sole bread-winner who suffered a gruesome death at the hands of the accused persons.
6. I have considered all the above alongside the policy guidelines on sentencing. The manner in which the deceased was murdered was gruesome and heinous. An elderly man of 73 years, suspected of practising witchcraft, was taken from his home and beaten to death. The accused person chose to take the law into their own hands. Regardless of their cultural beliefs, they had no right to murder the deceased. Their unlawful acts warrant a custodial sentence. I therefore sentence each accused person to serve twenty-five (25) years of imprisonment. The period they have been in remand will be taken into account, in accordance with the provisions of Section 333 (2) of the *Criminal Procedure Code*.

DATED, SIGNED AND DELIVERED AT BUNGOMA ON THIS 23RD DAY OF JULY 2025.

R.E.OUGO

JUDGE

In the presence of:

Michael Ayekha Manga/1st Accused

Humphrey Sichangi Wanyama/2nd Accused

Elias Wekesa Wafula/3rd Accused

Henry Manyasa Opicha/4th Accused

Counsels for the Accused persons - Absent

Miss Matere - State Counsel/ODDP

Wilkister - C/A

