



**Republic v Terer (Criminal Case E018 of 2021)
[2025] KEHC 9921 (KLR) (10 July 2025) (Sentence)**

Neutral citation: [2025] KEHC 9921 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT BOMET
CRIMINAL CASE E018 OF 2021
JK NG'ARNG'AR, J
JULY 10, 2025**

BETWEEN

REPUBLIC PROSECUTOR

AND

VICOTY TERER ALIAS JUDY WAHU ACCUSED

SENTENCE

1. The Accused, Vicoty Terer alias Judy Wahu 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 4th September, 2021 at Ndanai in Sotik Sub County within Bomet County murdered Weldon Kiplangat Terer.
2. The Accused took plea on 23rd September, 2021 where she pleaded not guilty to the charge of murder.
3. On 23rd January, 2025, Chirchir counsel for the Accused informed this court that the Accused wished to plea bargain with the State. A mention date of 23rd March 2025 was issued by the court for Plea Bargain Agreement. The Plea Bargaining Agreement dated 17th March, 2023 indicated that the Accused had agreed to plead guilty to the lesser offence of manslaughter.
4. On 17th March 2025, this court accepted the Plea Agreement after interviewing the Accused and satisfying itself that she executed the Plea Agreement voluntarily and that she understood her trial rights.
5. On 24th April, 2025 the Accused took plea for the offence of manslaughter. The charge and every element thereof was read and explained to her in the Kipsigis language which she understood and she 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:-

“The accused person Vicoty Terer alias Judy Wahu was accused of the offence of murder that on 27th November, 2023 she murdered Amon Kiptoo.

That on the night of 3rd September, 2021 neighbour heard them quarrel. the Accused was threatening to kill the deceased. The following day was on 4th September, 2021 they had a quarrel. The Accused stabbed the deceased on the chest. The Accused was apprehended by members of the public. She was arrested by police.

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

8. In mitigation, the Accused submitted that she was of good character and learned born very important skills while in prison. She sought this court’s leniency in sentencing. That she is a first offender and has 3 children to provide for.

9. 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.

10. 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.

11. In the final analysis, having considered the circumstances of the case, the Accused’s Mitigation, and the applicable Law, I make the following orders: -

- i. The accused is sentenced to serve 7 imprisonment.
- ii. The sentence to run from the date of plea taking being 23/9/2021.
- iii. 14 days right of appeal is granted.

Orders accordingly.

JUDGEMENT DELIVERED, DATED AND SIGNED AT BOMET THIS 10TH DAY OF JULY, 2025.



.....

HON. JULIUS K. NG'ARNG'AR

JUDGE

Judgement delivered in the presence of Ayienkha for the State and Mr Kipngetich for the Accused. Siele/Susan (Court Assistants).

