



**Republic v Okello (Criminal Case E056 of 2023)
[2025] KEHC 13114 (KLR) (22 September 2025) (Sentence)**

Neutral citation: [2025] KEHC 13114 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT KAKAMEGA
CRIMINAL CASE E056 OF 2023
AC BETT, J
SEPTEMBER 22, 2025**

BETWEEN

REPUBLIC PROSECUTOR

AND

DANIEL ATANDA OKELLO ALIAS DANKO ACCUSED

SENTENCE

1. The Accused pleaded guilty for the offence of manslaughter after entering into a Plea Agreement dated 17th February 2025. After compliance with the provisions of Section 137F and 137H of the Criminal Procedure Code, the court accepted the Plea Agreement.
2. The facts leading to the offence in question are that on 5th September 2023, upon receiving a report of murder, the police proceeded to the homestead of Evans Atanda where they found the body of a female adult lying on the corridor in a pool of blood. The police established that there was no forceful entry and that the deceased's phone was missing. Following forensic investigations as to the whereabouts of the phone, the police arrested two suspects who were using the deceased's phone. On interrogation, the two suspects said that they had stolen the phone from the Accused's person's locker in St. Raphael Burangasi Secondary School. The Accused was consequently arrested and upon interrogation, confessed to the crime. The confession was recorded and produced as PExh.7. The cause of death was established by Dr. Dixon Mchana who conducted the autopsy to be severe head and neck injuries secondary to sharp force trauma following assault.
3. I have perused the pre-sentence report that indicates that the Accused regrets having committed the offence. It notes that the Accused was earlier charged with the offence of house breaking and stealing from his guardian in Butere CMC Criminal Case No. E055 of 2023 and upon pleading guilty, was placed on probation.



4. The Accused had turned eighteen (18) years a few weeks before committing the offence. Ms. Repha urged the court to be lenient to him because he had experienced a difficult childhood with scant support from his family.
5. I have taken into account the circumstances of the case. The Accused committed a heinous offence on his elderly Aunt without any provocation but only on the ground that she had advised his grandmother to kick him and his brother out of her house. Given the repeated criminal behavior of the Accused, he deserves a deterrent sentence. Taking into account the extent of the injuries on the deceased and the fact that the Accused stole her mobile phone after the offence, I find that a custodial would be appropriate. I therefore sentence the Accused to fifteen (15) years imprisonment to run from the date the Accused was placed in custody pursuant to Section 333 of the Criminal Procedure Code.

DATED, SIGNED AND DELIVERED AT KAKAMEGA THIS 22ND DAY OF SEPTEMBER 2025.

A. C. BETT

JUDGE

In the presence of:

Ms. Chala for the Prosecution

Ms. Repha for the Accused

Court Assistant: Polycap

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