



**Kipngetich v Republic (Criminal Miscellaneous Application E012 of 2024) [2024] KEHC 2501 (KLR) (13 March 2024) (Ruling)**

Neutral citation: [2024] KEHC 2501 (KLR)

**REPUBLIC OF KENYA  
IN THE HIGH COURT AT KABARNET  
CRIMINAL MISCELLANEOUS APPLICATION E012 OF 2024**

**RB NGETICH, J**

**MARCH 13, 2024**

**BETWEEN**

**LYDIA JELAGAT KIPNGETICH ..... APPLICANT**

**AND**

**REPUBLIC ..... RESPONDENT**

**RULING**

1. The applicant 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 are that on the 24<sup>th</sup> day of September 2021 at Kabel shopping centre, Marigat Sub-County within Baringo County murdered David Kiprop Changole. In the lower court she was charged with the offence of attempted murder.
2. The applicant seeks review both in respect to sentence in the murder case that was before and attempted murder before the lower court. I have perused ruling on sentence for murder and I note that I omitted order for sentence to run from the date of arrest. I will proceed to order that sentence to start from the date the applicant was arrested.
3. In respect to prayer for review of sentence, there are no circumstances demonstrated by the applicant to warrant review of sentence imposed by this court. In the lower court, the applicant was charged with attempt to murder the mother of the children whom she finally murdered after inflicting serious injuries on the mother. Considering circumstances of this case, I decline to review/revise sentence imposed by the trial court in respect to attempted murder.
4. In conclusion, the prayer for review/revision of both sentences is declined. Period served in remand to be computed in respect to both sentences and both sentences to run concurrently as earlier ordered.

**RULING DELIVERED, DATED AND SIGNED VIRTUALLY AT KABARNET THIS 13TH DAY OF MARCH 2024.**

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**RACHEL NGETICH**  
**JUDGE**

**In the presence of:**

Applicant present.

Ms Ratemo for State.

Kibet, Court Assistant.

