



**Republic v Golicha (Criminal Case 9 of 2018)
[2024] KEHC 3010 (KLR) (15 March 2024) (Ruling)**

Neutral citation: [2024] KEHC 3010 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT GARISSA
CRIMINAL CASE 9 OF 2018
JN ONYIEGO, J
MARCH 15, 2024**

BETWEEN

REPUBLIC PROSECUTOR

AND

ADAN BORU GOLICHA ACCUSED

RULING

1. I have considered the mitigation on record vis avis the gravity of the offence committed.
2. There is no doubt that somebody innocent lost his life for no apparent reason. The accused person being a police officer ought to have restrained himself from using a gun in the circumstances. He is responsible for his own action.
3. Although a first offender, the law justice demands that a commensurate sentence be meted out.
4. The allegation that he is suffering from high blood pressure and diabetes is not supported by any material evidence. A deterrent sentence is necessary.
5. Taking into account the period he has been in custody which is 4 years and 3 months, a sentence of 7 years' imprisonment is sufficient sentence to run concurrently with the one he is serving in Criminal Case No. 563/2018 Garissa CM's Court as the offence arose out of the same transaction.

Right of appeal 14 days.

DATED, SIGNED AND DELIVERED IN OPEN COURT THIS 15TH DAY OF MARCH 2024.

J. N. ONYIEGO

JUDGE

