



**State v Okoth & another (Criminal Case E014 of 2022)
[2024] KEHC 6058 (KLR) (23 May 2024) (Sentence)**

Neutral citation: [2024] KEHC 6058 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT SIAYA
CRIMINAL CASE E014 OF 2022
DO OGEMBO, J
MAY 23, 2024**

BETWEEN

STATE PROSECUTION

AND

STEVE MOSES OKOTH 1ST ACCUSED

NAHASHON OUMA OKOTH 2ND ACCUSED

SENTENCE

1. The two accused did a joint mitigation through learned counsel. They both pleaded that they were provoked, with being forced witness the deceased ruining their lives through the relationship between the deceased and their mother leading to the death of their father. That they are both first offenders and married with small children.
2. I have considered the mitigation raised by the two accused. I have also considered the pre-sentence report filed by the probation officer which basically reiterates the facts of this case, and the objection of the community towards the accused being placed on non-custodial sentence.
3. The deceased and mother of the accused seem to have been involved in a relationship the accused objected to. The accused, ought to have explored other means of resolving this dispute rather committing such cold blooded murder.
4. It is for this reason that I am convinced that the accused deserve a custodial sentence that would act as a deterrence to them while also giving them the opportunity to reflect on their actions.
5. In the circumstances, I sentence both accused 1 and 2 to each serve 15 years imprisonment. Since the accused have been remanded in custody during their trial, the sentences of the accused shall run from 19/4/2022 the date the accused were first arraigned before court. Right of appeal explained to the accused.



DATED, SIGNED AND DELIVERED THIS 23RD DAY OF MAY, 2024.

D. O. OGEMBO

JUDGE

23/5/2024

Court

Read out in Open Court in presence of the Accused, Ms. Ndeda for the Accused, and Ms. Kerubo for the State.

D. O. OGEMBO

JUDGE

23/5/2024

Ms. Ndeda

I pray that I be discharged. Also my pro bono fees.

Court

Advocate ms. Ndeda is discharged. To be paid pro- bono fees.

D. O. OGEMBO

JUDGE

23/5/2024

