



**Republic v Ngari & another (Criminal Case E002 of 2021)  
[2024] KEHC 7586 (KLR) (20 June 2024) (Sentence)**

Neutral citation: [2024] KEHC 7586 (KLR)

**REPUBLIC OF KENYA  
IN THE HIGH COURT AT NYERI  
CRIMINAL CASE E002 OF 2021  
DKN MAGARE, J  
JUNE 20, 2024**

**BETWEEN**

**REPUBLIC ..... PROSECUTION**

**AND**

**EDDY KARIUKI NGARI ..... 1<sup>ST</sup> ACCUSED**

**RAPHAEL WACHIRA KARIUKI ..... 2<sup>ND</sup> ACCUSED**

**SENTENCE**

1. The accused pleaded guilty to the offence of manslaughter in a plea bargain. The accused admitted to one count of murder contrary to Section 203 as read with Section 204 of the [Penal Code](#).
2. They were hired to kill the deceased. The offence was premeditated and motivated by pay. They shared the loot of Kshs. 100,000/=. They cheapened human life to that amount.
3. The 1<sup>st</sup> Accused was 25 years old at the time of writing the Probation Report. The second accused was aged 36 years. He still failed to accept. He was also single. The killing was macabre. The plea bargain helped remove the death sentence from the table.
4. The 1<sup>st</sup> Accused is more remorseful. He shall serve 25 years imprisonment effective – the date of arrest.
5. The 2<sup>nd</sup> Accused though entered into a plea bargain, is not remorseful. He has callous disregard for life. There are no family members who will miss him, being single at 36 years. I sentence him to 30 years imprisonment effective – the date under arrest.

Order

6. The court hereby makes the following order regarding to sentencing:-
  - a. The 1<sup>st</sup> Accused is sentenced to 25 years imprisonment effective 20/2/2021, the date of arrest.



b. The 2<sup>nd</sup> Accused is sentenced to 30 years imprisonment effective 22/2/2021, the date of arrest.

**DELIVERED, DATED AND SIGNED AT NYERI ON THIS 20TH DAY OF JUNE, 2024.**

**SENTENCE READ AT 11.07 A.M. WITH PARTIES LOGGED IN VIRTUALLY, ON MICROSOFT TEAMS PLATFORM.**

**KIZITO MAGARE**

**JUDGE**

**In the presence of:**

**Mr. Gichuki for the 1<sup>st</sup> Accused**

**Mr. Ndichu for the 2<sup>nd</sup> Accused**

**Accused 1 and Accused 2 – present**

**Ms. Kaniu for the State**

**Court Assistant - Jedidah**

