



**Republic v Mitei (Criminal Case 38 of 2017) [2023] KEHC 1313 (KLR) (1 March 2023) (Ruling)**

Neutral citation: [2023] KEHC 1313 (KLR)

**REPUBLIC OF KENYA  
IN THE HIGH COURT AT NAKURU  
CRIMINAL CASE 38 OF 2017  
HK CHEMITEI, J  
MARCH 1, 2023**

**BETWEEN**

**REPUBLIC ..... PROSECUTION**

**AND**

**HARUN KIPRONO MITEI ..... ACCUSED**

**RULING**

1. The court has heard mitigation by both parties herein. The court has also perused the presentencing reported dated 7/2/2023 filed on 8/2/23.
2. It appears that the trouble the accused has had is abuse of alcohol. Further, he has had a run with the law including being charged with the offence of Creating Disturbance. It is indicated that he absconded.
3. The accused at the same time has had a strained relationship with his mother who is the only surviving parent.
4. The family is still in the process of reconciling with the victim’s family.
5. In view of the above observations, the court would have considered a non-custodial sentence. The report however militates against him.
6. Consequently, and so as to help the accused hopefully come out of his alcoholism, he better be held in custody for some time.
7. In the premises, the accused is hereby sentenced to serve 10 (ten) years imprisonment from 4/9/2017.
8. Orders accordingly.

**DATED, SIGNED AND DELIVERED VIA VIDEO LINK AT NAKURU THIS 1<sup>ST</sup> DAY OF MARCH, 2023.**

**H. K. CHEMITEI**



**JUDGE**

