



**Republic v Korir (Criminal Case E003 of 2023)
[2024] KEHC 14482 (KLR) (20 November 2024) (Sentence)**

Neutral citation: [2024] KEHC 14482 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT NAKURU
CRIMINAL CASE E003 OF 2023
HI ONG'UDI, J
NOVEMBER 20, 2024**

BETWEEN

REPUBLIC STATE

AND

DENNIS KIPYEGON KORIR ACCUSED

SENTENCE

1. Dennis Kipyegon Korir the accused herein was initially charged with the offence of Murder contrary to section 203 as read with section 204 of the Penal Code.
2. After a plea bargain agreement dated 18th September, 2024 was reached the charge was reduced to Manslaughter contrary to section 202 as read with section 205 of the Penal Code. The particulars being that the accused on 23rd December, 2022 at Burgei village in Sinendet Location, Kuresoi sub-county within Nakuru County unlawfully killed Faith Cherotich Korir.
3. Upon admission of the charge and facts the accused was eventually convicted of the offence of Manslaughter on 18th September, 2024.
4. The Prosecution Counsel M/s E. Okok confirmed that the accused was a first offender.
5. A pre-sentence report dated 30th October, 2024 was filed. The report shows that the accused was born in the year 2003. When the incident occurred on 23rd December, 2022 the accused was aged 19 years and had been married for 2 years. This means he married at the age of 17 years while still a minor. Upon observation of the deceased's body by the doctor who conducted the post mortem it was found that the deceased was a teenager.
6. The pre-sentence report shows that both families were interviewed and it was confirmed that they are engaged in the Kalenjin traditional reconciliatory mechanism that will bring them together. The local administration is also involved in the exercise.



7. From the facts adduced herein the cause of the incident was the deceased's conduct and her reaction, which were very provocative. This does not however justify the accused's actions.
8. I have on the other hand considered the following: Accused's age (17 years) at the time of marriage
Accused's age (19 years) at the time of offence
Accused's present age (21 years)
His being a first offender
The deceased was only a teenager. It's not clear why the family and administration did not stop this relationship of minors
The steps taken by both families towards reconciliation.
The period (1 year plus 10 months) which accused has spent in remand prison.
The couple had not been blessed with a child, prior to the incident
9. It is therefore my humble opinion that the accused needs counselling, character transformation, completion of reconciliation with the deceased's family and settlement in life. He has to be assisted to achieve this. This may not be adequately achieved in prison. I therefore place him on probation for three (3) years under the strict supervision of the In-charge Probation Office Nakuru.
10. The accused is warned of a re-arrest and re-sentence if he fails to adhere to the instructions from the Probation office.

DELIVERED, DATED AND SIGNED THIS 20TH DAY OF NOVEMBER, 2024 IN OPEN COURT AT NAKURU.

H. I. ONG'UDI

JUDGE

