

REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA AT NAKURU

CRIMINAL CASE NO.69 OF 2016

REPUBLIC.....PROSECUTION

VERSUS

BERNARD LANGAT.....ACCUSED

RULING ON SENTENCING

1. The accused had been charged with the murder of her daughter **JUDY CHEPKURUI** on **18th November 2016** at Baraget location Kuresoi County within Nakuru County. In the cause of time the parties entered into a plea agreement and the offence was reduced to manslaughter.
2. The accused admitted the offence. The facts were read to him which essentially explained how the accused in disciplining the deceased who was 11 years old used excess force. It appears the deceased was a truant child and would sneak out with boys.
3. The court has heard the sentiments of the parties especially the mitigation by the accused who appeared remorseful. He pleaded that the period he has been in custody of about 5 years be taken into consideration.
4. The court appreciates the circumstances of this case and the unfortunate tragic end of the young and youthful soul. There is no evidence that the accused wanted to harm the deceased but was merely disciplining her. He however used excessive force. This is exemplified by the efforts they did to save her life by rushing her to the hospital but it was too late.
5. **In the premises, the court having heard the mitigation, sentence the accused to 5 years' imprisonment from 25th November 2016. It is noted that he has been in custody all through.**
6. Orders accordingly.

DATED SIGNED AND DELIVERED VIA VIDEO LINK AT NAKURU THIS 15TH DAY OF MARCH 2021.

H K CHEMITEI

JUDGE