

REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA AT MAKUENI

HCCRC. NO.18 OF 2020

REPUBLIC.....PROSECUTION

VERSUS

JOSEPHAT MUIA MAWEUACCUSED

RULING ON SENTENCE

1. The accused person herein who was initially charged with murder was convicted of manslaughter after a plea bargaining agreement was signed with the State.
2. The learned defence counsel Mr. Kioko has asked that he be given a non-custodial sentence as he is a young man who acted to protect his sister.
3. The accused is a first offender and is a young man. I have perused and considered the pre-sentence report in which a non-custodial sentence is proposed. It is proposed that he be put on probation.
4. The force used is however in my view excessive, and a life has been lost.
5. I sentence the accused to one (1) year imprisonment.

DELIVERED, SIGNED & DATED THIS 7TH DAY OF OCTOBER 2021, IN OPEN COURT AT MAKUENI.

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GEORGE DULU

JUDGE