



**REPUBLIC OF KENYA**

**IN THE HIGH COURT OF KENYA AT SIAYA**

**CRIMINAL CASE NO. 4 OF 2019**

**STATE.....PROSECUTION**

**VERSUS**

**MICHAEL OTIENO WASONGA.....ACCUSED**

**SENTENCE**

1. I have considered the mitigation by Mr. Ochanyo and the accused person.
2. The deceased died a very painful death. There was no evidence of provocation. Every person has a right to live and no person has any right to deprive another of life.
3. The accused is a cold blooded murderer due to greed for very minute things like chicken and a mobile phone. He does not deserve the mercy of the court. The dead too deserve justice.
4. **Section 204 of the Penal Code** provides for death sentence but as said sentence is not mandatory, I exercise discretion and sentence the accused person to serve life imprisonment.
5. Right of Appeal is 7 days of today explained.
6. Orders accordingly.

**Dated, signed and Delivered at Siaya, this 4<sup>th</sup> Day of May, 2020 via skype.**

**R.E. ABURILI**

**JUDGE**