

REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA

AT KERICHO

CRIMINAL CASE NO.15 OF 2017

REPUBLIC.....PROSECUTION

VERSUS

GEOFFREY KIPKOECH BETT.....ACCUSED

SENTENCE

1. After the accused person was convicted of manslaughter, the court ordered that the Probation Officer, Kericho to file a pre-sentence report. The Probation Officer's recommended a probation sentence as the two clans had now reconciled with agreement reached for payment of livestock to the deceased's family.
2. I have considered that the accused is a first offender and is aged 22 years, thus a fairly young man. He also pleaded guilty to the lesser offence of manslaughter and did not waste the court's time. The incident occurred at an alcohol drinking den and the accused used a stick to hit the deceased on the head over a verbal dispute between the deceased and the accused's father over a T-shirt which the accused's father was alleged to have borrowed from the deceased. There was no threat of physical violence between the deceased and the father of the accused. I have also considered the Probation Officer's report and recommendations.
3. Though the accused's counsel, Mr. Koskei in mitigation asked for a non-custodial sentence, in my view such non-custodial sentence is not appropriate in the circumstances.
4. Taking into account the above factors, I sentence the accused to serve six (6) years imprisonment. Right of appeal on sentence explained.

Dated at Kericho this 13th June 2019.

George Dulu

JUDGE