

REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA AT KERICHO

CRIMINAL CASE NO.10 OF 2018

REPUBLIC.....PROSECUTION

VERSUS

JOSPHAT KIPNGETICH KORIR.....ACCUSED

SENTENCE

1. The accused is a first offender. He pleaded guilty to the lesser offence of manslaughter and thus did not waste the court's time. The deceased was actually the initial aggressor. Counsel for the accused has asked for a non-custodial sentence.
2. Though this court ordered the Probation Officer, Kericho to file a pre-sentence report, same was not filed.
3. I do not think that a non-custodial sentence is appropriate in this case of violence-where a machete was used resulting in the loss of a precious human life.
4. Taking the above factors into account, I sentence the accused to serve 5 years imprisonment. Right of appeal on sentence is explained.

Dated at Kericho this 13th June 2019.

George Dulu

JUDGE