

REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA

AT KERICHO

CRIMINAL CASE NO.18 OF 2018

REPUBLIC.....PROSECUTION

VERSUS

COLLINS KIPROTICH KEMEI.....1ST ACCUSED

GEOFFREY KIPNGENO BETT *alias* PEMBA.....2ND ACCUSED

SENTENCE

1. The accused Collins Kiprotich Kemei was charged with another with murder contrary to section 203 as read with 204 of the Penal Code. He pleaded guilty to the lesser offence of manslaughter contrary to section 202 as read with section 205 of the Penal Code.
2. The incident in which the deceased died was a fight, an offensive weapon was used; that is a knife. The 1st accused Collins is a first offender. I have taken into the mitigation point raised by Mr. Koskei for Collins Kemei. I have also considered the Kericho Probation Officer's report, in which the Probation Officer says that the deceased family is still bitter.
3. Collins is a fairly young man aged 29 years. A life was lost. The incident occurred after an alcohol drinking spree, and a weapon or knife was used.
4. In the circumstances of this case, having considered all the surrounding circumstances, I sentence the 1st accused Collins Kiprotich Kemei to serve eight (8) years imprisonment.
5. Right of appeal is explained.

Dated at Kericho this 17th September 2019.

GEORGE DULU

JUDGE