

REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA AT KISII

(CORAM: R.E OUGO)

CRIMINAL CASE NO.31 OF 2018

REPUBLIC.....PROSECUTION

VERSUS

JOB ATANGA GEITA.....ACCUSED

SENTENCE

1. **Job Atanga Geita** was charged with the offence of murder by an information dated the 24/8/2018. The deceased is **Peter Kebiro Okari**. The accused person is said not to be a 1st offender by the Director of Public Prosecution but no records were available to show that he had a previous conviction. Plea was taken on the 24/8/2018. The accused has been in custody since August 2018 about one year 2 months.
2. The pre-sentence report on the accused is very unfavourable. He is about 34 years. The report states; the community is very negative about the accused and a non custodial sentence is recorded.
3. I have considered his mitigation. In his defence he did not raise the issue of under the influence of alcohol. I listened the witness testify. The accused person on the material day went on a spree of harming people he came across. He murdered the deceased **Peter Kebiro** in a most gruesome manner. The accused person is a very violent person who does not deserve a non-custodial. He needs to be put away from the society for some time. I therefore sentence the accused person **Job Atanga Geita** to 40 years imprisonment. He has a right of appeal within 14 days.

Dated, signed and delivered at Kisii this 11th November, 2019.

R.E. OUGO

JUDGE

In the Presence;

Accused In person

Mr. Kaburi For the Accused person

Mr.Otieno Senior state Counsel Office of the DPP

Ms. Rael Court Clerk