

REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA AT MERU

CRIMINAL CASE NO. 40 OF 2012

REPUBLIC.....PROSECUTOR

VERSUS

PATRICK MUTEMBE.....1ST ACCUSED

DOMINIC KABERIA.....2ND ACCUSED

ERICK MUTHOMI.....3RD ACCUSED

RULING ON SENTENCING

1. I have considered the mitigation made on behalf of the accused.
2. I have considered that they are 1st offenders. That they have left their fate to this court. That they are not remorseful of the offence and that they still maintain their innocence.
3. I have also considered the presented reports filed on 27/06/2018 which are positive of the accused. I am alive to the fact that they have been in custody for well over six years now.
4. Be that as it may, a life was lost as a result of their unlawful act. The sentence for the offence of murder is death.
5. Considering all the foregoing, I sentence each of the accused to 10 years imprisonment.

Right of Appeal 14 days explained.

A. MABEYA

JUDGE

03/07/18