



**REPUBLIC OF KENYA**

**IN THE HIGH COURT OF KENYA AT KERICHO**

**CRIMINAL CASE NO. 26 OF 2012**

REPUBLIC.....PROSECUTOR

VERSUS

BERNARD KIPNGENO MIBEL.....ACCUSED

**RULING ON SENTENCE**

- The accused had been charged with the offence of Murder which was later reduced to Manslaughter after a plea bargaining arrangement.

From the facts of the case its clear that the accused did not only tie the deceased on a tree where he slept the whole night but he also beat him causing him an injury to his spinal cord.

- I have considered the accused's mitigation and the report by the Probation Officer. I have equally considered that the accused has been in custody for close to two and a half years

(2 ½) years.

- He is sentenced to five (5) years which will be served as follows:

1. The first two (2) years will be in prison (imprisonment).
2. The next three (3) years will be served on Probation.

The conditions are fully explained to the accused person.

**Dated, signed and delivered in court this 12th day of February, 2015.**

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**H. ONG'UDI**

**JUDGE**

**In the presence of:**

M/s Kivali for State

Mr. Ngeno for accused

Lagat- court assistant