



**REPUBLIC OF KENYA**

**IN THE HIGH COURT**

**AT HOMA BAY**

**CRIMINAL CASE NO. 1 OF 2012**

**BETWEEN**

**REPUBLIC.....PROSECUTOR**

**AND**

**SHANTON OCHIENG JUMA.....ACCUSED**

**SENTENCE**

**SHANTON OCHIENG JUMA** alias **TITO** was originally charged with the murder of **LAWRENCE OMONDI OKUMU** on 30<sup>th</sup> June 2012 at Kokwanyo East location, Rachuonyo District, Homa Bay County. As a result of a plea bargain agreement he accepted to plead guilty to the offence of manslaughter.

The court had the advantage of hearing 2 witnesses and the circumstances were that on the material night the accused was in the company of boys coming from a funeral when they met another group of boys including the deceased. A quarrel ensued and the accused stabbed the deceased who died.

I have considered the accused personal circumstances. He is a young man aged 22 years and has a wife and two young children. He is remorseful and prays for leniency. On the other had the court cannot lose sight of the fact that a life was lost in these unfortunate circumstances.

The accused has been in custody since 4<sup>th</sup> July 2012 and taking this into account, I sentence him to three and a half years imprisonment. Such time shall take into account time served while awaiting trial.

**DATED** and **DELIVERED** on this 7<sup>th</sup> day of **JULY** 2015.

**D.S. MAJANJA**

**JUDGE**

Ms Andabwa, Prosecution Counsel, instructed by the Director of Public Prosecutions for the State.

Mr Ongoso instructed by Ongoso Ayoma Advocates for the accused.