



**REPUBLIC OF KENYA**

**IN THE HIGH COURT OF KENYA AT NAIROBI  
CRIMINAL CASE NO.72 OF 2011**

**REPUBLIC .....PROSECUTOR**

**VERSUS**

**JOHN MBUTHIA NJENGA.....ACCUSED**

**SENTENCE**

The accused **John Mbutia Njenga** has already been convicted for the offence of manslaughter contrary to section 202 as read with Section 205 of the Penal Code. In mitigation, his counsel **Ms. Abongo** told the court that the accused was remorseful for the offence. She submitted that he was a father of four young children whose mother had abandoned them; and that they were in dire need of his care; that the accused had been in custody since 2011 when he was arrested. She further submitted that the accused had reformed while in custody and had accepted the Lord as his personal savior and learnt that alcohol abuse was dangerous.

She urged the court to consider giving the accused a non-custodial sentence. **Mr. Okeyo** for the State submitted that the accused was a first offender. Having considered the mitigation offered, the law, the circumstances of the case and the period spent in pre-trial custody, I am of the view that the accused shall benefit from a rehabilitative custodial sentence. He shall serve twelve (12) years in prison.

Orders accordingly.

**Sentence delivered and dated at Nairobi this 15th day of October, 2015**

**R.LAGAT-KORIR**

**JUDGE**

**In the presence of:**

.....: Accused

.....: Court clerk

.....: For the Accused

.....: For State