

REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA AT MACHAKOS

CRIMINAL CASE 30 OF 2008

REPUBLIC

VERSUS

HARRISON MAKAU MUTHAMA ACCUSED

SENTENCE

I have considered the circumstances of the offence. I have considered that the accused is a first offender. I have considered the mitigating factors and especially that the accused is a first offender. The probation report refers to a family dispute and a grudge on the disposal of land between the accused and the deceased who are step brothers. No discernible reconciliation has taken place between the two houses. I am of the view that a non – custodial sentence is not appropriate. I sentence the accused to serve six (6) years imprisonment. Right of appeal explained.

Dated and delivered at Machakos this 5th day of **October** 2012.

George Dulu

Judge

In presence of:-

Mrs Gakobo for State

N/A for Accused

Accused present in person

Nyalo – Court clerk