



**Republic v KKR (Criminal Case E004 of 2023)
[2025] KEHC 13692 (KLR) (2 October 2025) (Ruling)**

Neutral citation: [2025] KEHC 13692 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT KABARNET
CRIMINAL CASE E004 OF 2023
RB NGETICH, J
OCTOBER 2, 2025**

BETWEEN

REPUBLIC PROSECUTION

AND

KKR ACCUSED

RULING

1. The accused person KKR was charged with the offence of murder contrary to Section 203 as read with section 204 of the *Penal Code*.
2. Following plea bargain, the accused was charged and convicted of lesser charge of manslaughter contrary to section 202 as read with section 205. By ruling delivered on 27th September 2024, the accused to have been a minor aged 17 years at the time of the offence and was suffering from schizophrenia which is a life long mental condition and was committed to facility for treatment.
3. The Applicant was committed to Mathare Teaching and Referral hospital for 6 months. The court ordered for a mention after 6 months to determine whether he would be suitable for a non-custodial sentence and further directions.
4. Report dated 17th June 2025 was availed by Moi teaching and referral hospital. The report indicate that the accused is well oriented, his memory, judgment and concentration was normal.
5. The presentence report indicate that the accused was of violent character within the community but has been dealt with locally until he committed the current offence. The local administrator is opposed to the minor being released to the community. He said the family are not willing to accept him and the community is hostile towards him.



6. In view of the comments above and my finding that the minor was a minor aged 16 years at the time of the offence, I am inclined to commit him to a borstal institution. This will give him opportunity to reflect on his action and reform before being released back to the community.

7. Final orders: -

Accused is hereby committed to borstal institution for a period of 3 years.

RULING DELIVERED, DATED AND SIGNED VIRTUALLY AT KABARNET THIS 2ND DAY OF OCTOBER, 2025.

.....

RACHEL NGETICH

JUDGE

In the presence of:

Ms. Claire for State.

No appearance for accused.

Accused present

CA, Elvis.

