



**Republic v Ngetich & another (Criminal Case E021 of 2023)  
[2025] KEHC 13668 (KLR) (2 October 2025) (Sentence)**

Neutral citation: [2025] KEHC 13668 (KLR)

**REPUBLIC OF KENYA  
IN THE HIGH COURT AT KERICHO  
CRIMINAL CASE E021 OF 2023  
JK SERGON, J  
OCTOBER 2, 2025**

**BETWEEN**

**REPUBLIC ..... PROSECUTION**

**AND**

**LEONARD KIPRONO NGETICH ..... 1<sup>ST</sup> ACCUSED**

**GEOFFREY KIRUI KIPLANGAT ..... 2<sup>ND</sup> ACCUSED**

**SENTENCE**

1. Leonard Kiprono Ngetich, Geoffrey Kirui Kiplangat the Accused herein were charged with the information of Murder Contrary to Section 203 as read with 204 of the Penal Code. Particulars of the information dated the 16th of November, 2023 are that on the 22nd day of October, 2023 at Cheloskei Village, Kebeneti Location, Soin/Sigowet Sub - County within Kericho County, murdered Daniel Kipngetich Chepkwony.
2. At the end of the trial and upon convicting the accused persons for the aforesaid offence, this court directed the county probation officer to file pre-sentence reports and also invited the accused to make submissions in mitigation to guide the court in determining the appropriate sentence to be meted out.
3. Ms. Kirui, the Learned Counsel for both Accused, submitted that both accused were remorseful about the commission of the offence that culminated in the demise of the deceased who was their father. The Learned Counsel stated that the offence was not premeditated, the accused and the deceased were embroiled in an altercation that arose out of a land dispute, the altercation escalated and culminated in the demise of the deceased. The Learned Counsel therefore urged this Court to exercise leniency during sentencing and consider a non-custodial sentence.
4. Ms. Maundu, Learned Assistant Director of Public Prosecutions, on her part submitted that the parties were embroiled in a land dispute, the deceased wanted to sell his land, however, the accused planned to eliminate the deceased to prevent him from selling the land. The prosecutor faulted the accused



for failing to embrace alternative dispute resolution mechanisms to resolve the dispute at hand and therefore maintained that a deterrent sentence should be imposed.

5. This court also called for pre-sentence reports. I have considered the pre-sentencing reports prepared and filed by the Kericho County – Probation Officer in respect of the accused persons.
6. The probation officer filed a presentence report on behalf of Leonard Kiprono Ngetich the 1st accused, in the aforesaid report, it is noted that the offender is a casual labourer. The offender is married but separated as his estranged wife had relocated to her maternal home prior to the commission of the instant offence. It was further noted that the offender has often displayed antisocial and pro-criminal behaviour and had on several occasions threatened to eliminate his father over a protracted land dispute.
7. The offender maintains that on the material day, he was not in the vicinity when the awful incident happened, culminating in the demise of his father. The offender was therefore not remorseful, he adamantly denies having committed the instant offence and blamed his brother, the co-accused.
8. The mother to the offender, urged this court to exercise leniency during sentencing, citing frustration from the victim who was her husband, he had sold family land severally and squandered the money thereby occasioning the family financial constraint.
9. The offender is well known to the community and the local administrator, who reported that the offender had severally threatened to kill his father as they were embroiled in a protracted land dispute. The local administrator had attempted to resolve the dispute to no avail. The local administrator was in favour of a deterrent sentence, as the community was experiencing a surge of such cases on account of protracted land disputes.
10. The probation officer found that the offender’s behaviour was unjustifiable and therefore warranting a deterrent sentence and therefore deemed the offender not suitable for a non-custodial sentence program.
11. The county probation officer filed a presentence report on behalf of Geoffrey Kirui Kiplangat the 2nd accused, it was noted that the offender is a casual labourer. The offender did not display pro-criminal behaviour prior to the commission of the instant offence.
12. The offender is not remorseful and adamantly denies having committed the offence, however, on the material day, he admits to having escaped from the crime scene and that he was apprehended by members of the public.
13. The mother to the offender, urged this court to exercise leniency during sentencing, citing frustration from the victim who was her husband, he had sold family land severally and squandered the money thereby occasioning the family financial constraint.
14. The offender is well known to the community and the local administrator, who reported that whereas the offender was a law abiding citizen before he committed the instant offence, he and the co-accused were embroiled in a protracted land dispute with the deceased. The local administrator had attempted to resolve the dispute, however, the offender made an irrational decision before the matter was fully resolved. The local administrator was in favour of a deterrent sentence, as the community was experiencing a surge of such cases on account of protracted land disputes.
15. The probation officer in noting that the offender did not have a history of criminality found that the offender’s behaviour was unjustifiable and therefore warranting a deterrent sentence and therefore deemed the offender not suitable for a non-custodial sentence program.



16. I have considered that both accused persons were arrested soon after committing the instant offence, they were arraigned in court 11th November, 2023 and remanded soon thereafter. The accused made an application to be released on reasonable bail terms, however, the pre bail reports were favourable and this court granted each accused bond of Kshs. 200,000/= and surety of similar amount, however, there is no indication that the accused were released, therefore the offenders have been in custody for a period of one (1) year and eight (8) months.
17. I have considered the circumstances of the offence, submissions in mitigation and have further considered the contents of the pre-sentence reports filed by the county probation officer in respect of both accused persons. Consequently, I hereby sentence the Accused namely: Leonard Kiprono Ngetich and Geoffrey Kirui Kiplangat to each serve (10) ten years imprisonment.

**DATED, SIGNED AND DELIVERED AT KERICHO THIS 2<sup>ND</sup> DAY OF OCTOBER, 2025**

.....

**J. K. SERGON**

**JUDGE**

In the presence of:

C/Assistant – Rutoh

Prosecutor - Maundu

Convict – Present in Person

Morata holding brief for Miss Kirui for the Accused

