

REPUBLIC OF KENYA
IN THE HIGH COURT OF KENYA AT KERICHO
CRIMINAL CASE NO. E007 OF 2024

REPUBLIC.....PROSECUTOR

- V E R S U S -

JAPHET CHERUIYOT SANG.....
.....ACCUSED

SENTENCE

1. ***Japhet Cheruiyot Sang***, the accused person herein and the prosecution entered into a plea bargain agreement whereof the accused pleaded guilty to the offence of Manslaughter instead of undergoing a trial on the information of Murder.
2. Upon convicting the accused, this Court invited the accused to submit in mitigation.
3. It is the submission of Mr. Towett, Learned Advocate for the accused that the accused is remorseful. He pointed out that the accused committed the offence under the influence of alcohol. The Learned Advocate urged this Court to be lenient to the accused and pronounce a non-custodial sentence.
4. Mr. Masisa, Learned Senior Prosecution Counsel urged this Court to treat the accused person as a first offender.

5. A Pre-sentence Probation Report was filed. In the Pre-sentence Report, it is indicated that the victim's and the accused's families have reconciled. It is also stated that the offender blends well with the community.
6. Having taken into account the circumstances of the commission of the offence and the facts in mitigation plus the Pre-sentence Report, this Court is of the opinion that a non-custodial sentence is the most appropriate in the circumstances of this case.
7. Consequently, this Court sentences the accused namely:-
Japhet Cheruiyot Sang to serve 3 years on Probation under the supervision of the Kericho County Probation Officer.

**Dated, signed and delivered at Kericho this 26th day
of November, 2025.**

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**J. K. SERGON
JUDGE**

In the Presence of:-

C/Assistant - Rutoh

Prosecutor - Maundu

Accused - Present in Person

Towett for the Accused

