



REPUBLIC OF KENYA



KENYA LAW
THE NATIONAL COUNCIL FOR LAW REPORTING
Where Legal Information is Public Knowledge

**Republic v Ngeno & another (Criminal Case E054 of 2021)
[2025] KEHC 18189 (KLR) (4 December 2025) (Sentence)**

Neutral citation: [2025] KEHC 18189 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT KERICHO
CRIMINAL CASE E054 OF 2021
JK SERGON, J
DECEMBER 4, 2025**

BETWEEN

REPUBLIC PROSECUTOR

AND

ERICK KIBET NGENO 1ST ACCUSED

NICHOLAS KIPKOECH NGENO 2ND ACCUSED

SENTENCE

1. Learned Counsels for the Accused Person Mssrs. J. K. Mitey and Victor Kirui made oral submissions in Mitigation.
2. It is their submissions that the Accused Persons are remorseful. They also pointed out that the duo are first offenders and are beseeching this Court to mete out a lenient sentence. They aver that the offence was committed while they were all drunk and therefore they had no malice aforethought.
3. The Accused Person are said to have undergone the Kipsigis Traditional Cleansing Ceremonies and that the families of the victim and that of the Accused have reconciled.
4. This Court has also considered the Pre-Sentence Report. In the Report, it is indicated that the Accused Persons did not face any kind of hostility when they were released on bond. It is also confirmed that reconciliation talks between the families of the victim and the Accused were done.
5. The Probation Officer proposed to this Court to render a Non-Custodial Sentence.
6. Having considered the mitigating factors and the Pre-Sentence Probation Report, this Court has come to the conclusion that the appropriate sentence in the circumstances should be Non-Custodial.
7. I hereby sentence the Accused Persons namely:- Erick Kibet Ngeno and Nicholas Kipkoech Ngeno to serve 3 years on Probation under the supervision of the Kericho County Probation Officer.



DATED, SIGNED AND DELIVERED AT KERICHO THIS 4TH DAY OF DECEMBER, 2025.

.....

J. K. SERGON

JUDGE

In the Presence of:-

C/Assistant – Rutoh

Prosecutor – Chelangat

Accused 1– Present in Person

Accused 2 – Present in Person

Victor Kirui for 1st Accused

J. K. Mitey for the 2nd Accused

