

**REPUBLIC OF KENYA**  
**IN THE HIGH COURT OF KENYA AT KERICHO**  
**CRIMINAL CASE NO. E054 OF 2021**

**REPUBLIC.....PROSECUTOR**

**- V E R S U S -**

**ERICK KIBET NGENO.....1<sup>ST</sup>**  
**ACCUSED**

**NICHOLAS KIPKOECH NGENO.....2<sup>ND</sup>**  
**ACCUSED**

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**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 4<sup>th</sup> day of December, 2025.**

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**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 1<sup>st</sup> Accused

