



REPUBLIC OF KENYA
IN THE HIGH COURT OF KENYA AT KAKAMEGA
CRIMINAL CASE NO. E009 OF 2025

REPUBLIC
.. PROSECUTOR

VERSUS

EDWARD LUCHELI ARUMBA Alias
EDU ACCUSED

RULING ON SENTENCE

1. The Accused Edward Lucheli Arumba Alias Edu was initially charged with the offence of murder contrary to Section 203 as read with Section 204 of the Penal Code. Subsequent to a Plea Agreement dated 25th July 2025, the Accused opted to plead guilty and was convicted for reduced charge of Manslaughter contrary to Section 202 as read with Section 205 of the Penal Code.
2. I have considered the Pre-sentence report as well as the Accused person's mitigation. The Accused has pleaded for leniency on account of being a first offender, with a family.

He avers that he has reflected on his wrong doing during his eleven (11) months in custody.

3. Despite showing remorse and a willingness to reform, the Accused killed his victim in a calculated attack where he got annoyed by a lady's response to his request to accompany him, went out, came back with a knife, and started attacking the people present indiscriminately. In the process, he fatally injured the deceased, while the rest of the people fled.
4. As a result of the Accused person's senseless act of violence, the victim's family lost a loved one and are yet to recover from the devastating loss. The victim left behind five children, all minors, who relied solely on him. The responsibility has now shifted to their ageing and ailing grandfather and step-grandmother. As a result of the demise of their father, some of the children have dropped out of school. The loss suffered by the victim's family is immeasurable as no punishment can bring back his life.
5. The parties to the Plea Agreement jointly agreed to a sentence of eleven (11) years. However, sentencing is the

exclusive discretion of the trial court. See **Bernard Kimani Gacheru v. Republic [2002] eKLR.**

6. I have painstakingly weighed the Accused person's mitigating circumstances with the rights of the victim and his family. Justice calls for a deterrent sentence that will send a message to people who treat human life casually. It also calls for a sentence that will help the victim's family have closure. I therefore sentence the Accused to fifteen (15) years imprisonment which shall run from the date the Accused was placed in custody.

7. It is so ordered.

Dated, signed and delivered at Kakamega this 16th day of February 2026.

**A. C. BETT
JUDGE**

In the presence of:

Ms. Mwaniki holding brief for Ms. Chala for the Prosecution

Ms. Orenge for the Accused

Court Assistant: Polycap

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