



**Republic v Ong’Era (Criminal Case E063 of 2022)  
[2026] KEHC 2057 (KLR) (Crim) (24 February 2026) (Sentence)**

Neutral citation: [2026] KEHC 2057 (KLR)

**REPUBLIC OF KENYA  
IN THE HIGH COURT AT NAIROBI (MILIMANI LAW COURTS)  
CRIMINAL  
CRIMINAL CASE E063 OF 2022  
K KIMONDO, J  
FEBRUARY 24, 2026**

**BETWEEN**

**REPUBLIC ..... PROSECUTOR**

**AND**

**VINCENT MAKWORO ONG’ERA ..... ACCUSED**

**SENTENCE**

1. The accused pleaded guilty to the lesser but cognate offence of manslaughter under a plea agreement recorded on 30<sup>th</sup> April 2025.
2. On 28<sup>th</sup> August 2022, at about 23:30 hours, the accused and Phillip Kariuki (hereafter the deceased) met at a bar in Mihang’o. They imbibed in alcohol as they watched a football game.
3. But when they reached their residential plot, a petty quarrel ensued over payment of prepaid electricity tokens. It escalated into a full blown fight. The accused then picked up a sharp panga and cut the deceased on the head and the neck.
4. Neighbours took the deceased to Komarock Modern Hospital. He was then admitted to Kenyatta National Teaching and Referral Hospital where he died the following day. The accused surrendered to Mihang’o Police Station where he was arrested and subsequently charged with murder. As I stated, the charge has been bargained to manslaughter to which the accused has pleaded guilty.
5. From the post mortem examination conducted by Dr. Bernard Midia, the cause of death was “
  - (a) haemorrhage/traumatic brain injury
  - (b) sharp force (multiple cut wounds) to the neck with severed external jugular vein”.



I find that the autopsy report (exhibit 1) is consistent with the facts read out at the trial and now fully admitted by the accused.

6. Learned prosecution counsel, Ms. M. Kigira, confirmed that the accused is a first offender, a fact confirmed by the report from the Identification Bureau, DCI Headquarters, filed in court on 9<sup>th</sup> February 2026.
7. There is then the mitigation tendered by the accused. He informed me that he is now a born-again Christian and regrets killing the deceased who was his friend. He fully accepted responsibility for his actions but which he blamed on drunkenness. His wife has deserted him leaving their young children unattended. He prayed to be given a new leaf in life. He says he has reformed in prison and prays for a non-custodial sentence. In a synopsis, it is a plea to temper justice with mercy.
8. I have then perused the pre-sentencing report dated 22<sup>nd</sup> July 2025 under the hand of Mr. Albert Jaoko, Probation Officer, Nairobi. He does not recommend a non-custodial sentence.
9. The impact on the victim's family is well captured in the social report. They are still hurting and not ready for any reconciliation with the offender or his family. The deceased was only 25 years. They say "his death was a big blow to the family as it happened closely after just losing the patriarch of the family in 2019. It has brought stress and trauma to the mother who nowadays suffers high blood pressure and diabetes".
10. Although the accused sought forgiveness during the plea-bargaining sessions and also made an offer for compensation, the victim's family has declined restitution and insists on a just sentence.
11. I have kept in mind that the accused is a first offender and now aged 35. He has two children aged 9 and 6. He separated from his first wife and at the time of the offence was living with his second spouse. He has expressed genuine remorse. I note that he was awarded Rodi Kenya Certificate in prison and has undergone the Safari ya Mfungwa course. He seems to have deepened his Christian faith and comes with a recommendation from the Prison authorities dated 27<sup>th</sup> December 2025.
12. I have weighed all this against the gravity of the offence and the lasting impact on the victim's family. The accused used a sharp panga to cut the deceased on the head and neck. The deployment of such lethal force negates the claims of lack of intent. This a major aggravating factor.
13. Sentence should be commensurate to the moral blameworthiness of the offender but also guided by the nature and gravity of crime. Manslaughter is a grave felony and attracts a sentence of life imprisonment. Despite his elaborate mitigation, I find that justice of the case demands a substantial custodial sentence. It will be a lesson to the accused and afford him opportunity for further reform and anger management.
14. I accordingly sentence the accused to serve ten (10) years in jail. In accordance with section 333 (2) of the Criminal Procedure Code, the sentence shall run from 28<sup>th</sup> August 2022, the date when he surrendered to the police and was placed in custody.
15. The accused has a right of appeal to the Court of Appeal within 14 days and as per the Rules of that Court but only on the sentence. A copy of the proceedings and sentence shall be supplied to him immediately.

It is so ordered.

**DATED, SIGNED AND DELIVERED AT NAIROBI THIS 24<sup>TH</sup> DAY OF FEBRUARY 2026.**

**KANYI KIMONDO**

**JUDGE**



Sentence read virtually on Microsoft Teams in the presence of-

The accused.

Ms. M. M. Kigira for the Republic instructed by the Office of the Director of Public Prosecutions.

Mr. E. Ombuna, Court Assistant.

