



**Republic v Bett (Criminal Case E016 of 2022)  
[2026] KEHC 2410 (KLR) (26 February 2026) (Sentence)**

Neutral citation: [2026] KEHC 2410 (KLR)

**REPUBLIC OF KENYA  
IN THE HIGH COURT AT BOMET  
CRIMINAL CASE E016 OF 2022  
JK NG'ARNG'AR, J  
FEBRUARY 26, 2026**

**BETWEEN**

**REPUBLIC ..... PROSECUTION**

**AND**

**GEOFFREY KIPKORIR BETT ..... ACCUSED**

**SENTENCE**

1. The Accused, Geoffrey Kipkorir Bett was charged with the offence of murder contrary to section 203 as read with section 204 of the Penal Code. The particulars of the offence were that on 2<sup>nd</sup> July 2022 at around 1800hrs at Chepngaina Village in Bomet central Sub-County within Bomet County, he murdered Wilson Kiplangat Bett.
2. The Accused took plea on 19<sup>th</sup> July 2022 where he pleaded not guilty to the charge of murder.
3. A Plea-Bargaining Agreement was filed on 29<sup>th</sup> July 2022 and it indicated that the Accused had agreed to plead guilty to the lesser offence of manslaughter. This court accepted the Plea Agreement after interviewing the Accused and satisfying itself that he executed the Plea Agreement voluntarily and that he understood his trial rights.
4. On 18<sup>th</sup> November 2025, the Accused took plea for the offence of manslaughter. The charge and every element thereof was read and explained to him in a language he understood and he pleaded guilty. The court entered a plea of guilty for the offence of manslaughter.
5. The Facts as read by the Prosecutor and captured in the Plea Agreement are as follows: -

“On 2<sup>nd</sup> July 2022, two women namely Joyline Bett D-1 and Beatrice Chemutai D-2 were planting maize at their aged parents’ farm. Geoffrey Kipkorir Bett E-1 who was armed with a panga and a machete suddenly appeared. He started chasing the two who happened to be his sisters.



Joyline Bett and Beatrice Chemutai screamed attracting the attention of their brothers namely Wilson Bett, Bernard Bett and Stephen Bett who came to their rescue. Geoffrey Bett the turned towards one of his brothers, Wilson Bett and stabbed him on the stomach. He then extended his anger to his other brothers, Bernard Bett and Stephen Bett stabbing them on their stomachs as well.

The deceased was rushed to Tenwek Hospital where he was pronounced dead on arrival. The autopsy was conducted by Dr. Nickson Mutai who formed an opinion that the deceased passed on as a result of severe chest injury secondary to assault.

The Prosecution and the Investigation team accept that: -

- i. The quarrel was as a result of a disagreement over land issues.
  - ii. The Accused is remorseful of the act.
  - iii. The Accused is a brother to the deceased and the family has forgiven him.”
6. The Accused accepted the facts as true and was convicted his on her own guilty plea for the lesser offence of manslaughter contrary to section 202 as read with section 205 of the Penal Code.

### **Pre-Sentence Report**

7. A pre-sentence probation report was filed on 23<sup>rd</sup> February 2026 and it indicated that the basis of the disagreement between the Accused and the deceased and his brothers was the perceived preferential treatment that the Accused got from their father in regards to cultivating of the family land. That on the material day, the Accused found his sister cultivating the said land and a confrontation ensued leading to a physical altercation where the Accused stabbed the deceased. The deceased would later succumb to his injuries.
8. The report stated that the Accused was described by the community as someone who was hardworking, responsible and active. That they did not oppose his plea for a non-custodial sentence but believed that a relocation would reduce tension and promote harmony within the community.
9. The Probation Officer recommended a non-custodial sentence of probation for three years.

### **Victim Impact Statement.**

10. The victim’s family stated that the Accused’s sisters had forgiven the Accused but his brothers had not. They stated that the offence was not pre meditated.

### **Accused’s mitigation.**

11. The Accused filed his mitigation on 25<sup>th</sup> February 2026. He submitted that he had no intention of killing his brother and was remorseful and apologetic. That the pre-sentence report was favourable and indicated that he lived well with other members of the society and further that the society was receptive of his re-integration.
12. It was the Accused’s submission that he had spent four years in custody and learnt a lot. The Accused urged the court to grant him a non-custodial sentence.
13. On the other hand, the Prosecution submitted that the Accused’s behaviour was uncalled for and his actions ought to be rebuked in the strongest terms possible. They proposed a sentence of 20 years imprisonment.



14. Sentencing serves multiple purposes as enumerated in the Sentencing Policy Guidelines 2023 which outline the objectives of sentencing at paragraph 1.3.1 as follows: -

Sentences are imposed to meet the following objectives. There will be instances in which the objectives may conflict with each other- in so far as possible, sentences imposed should be geared towards meeting the objectives in totality.

- i. Retribution.
  - ii. Deterrence.
  - iii. Rehabilitation.
  - iv. Restorative justice.
  - v. Community Protection.
  - vi. Denunciation.
  - vii. Reconciliation.
  - viii. Reintegration.
15. The penal section for the offence of manslaughter is contained in section 205 of the Penal Code which provides: -

Any person who commits the felony of manslaughter is liable to imprisonment for life.

16. I have considered the circumstances of the case, the pre-sentence report, the Accused's and Prosecution's submissions. The Accused's family and Probation Officer advocated for a non-custodial sentence.

17. The Sentencing Policy Guidelines 2023 at paragraph 2.3.15 lists the factors that a court should consider when deciding to impose a custodial or non-custodial sentence. They are as follows: -

- i. Gravity of the offence: In the absence of aggravating circumstances, or any other circumstance that renders a non-custodial sentence unsuitable, a sentence of imprisonment should be avoided with respect to sentences that have been adjudged as deserving less than three (3) years.
- ii. Criminal history of the offender: Taking into account the seriousness of the offence, first offenders should be considered for non-custodial sentences except where the seriousness of the offence crosses the custody threshold (where the offence is so serious that neither a fine or community sentence can be justified).
- iii. Children in conflict with the law: Generally speaking, non-custodial orders should be imposed as a matter of course in the case of children in conflict with the law. The exception to this is in circumstances where in light of the seriousness of the offence, coupled with other factors, the court is satisfied that a custodial order is the most appropriate and would be in the child's best interest. Custodial orders should only be meted out as a measure of last resort and in accordance with the guidance provided under section 239 of the Children's Act, 2022. The court shall also issue post-committal supervision orders upon completion of the committal orders or the attainment of the age of majority where it is appropriate to do so in light of the nature of the offence and circumstances of the offender.
- iv. Conduct of the offender: Non-custodial sentences are best suited for offenders who are already remorseful and receptive to rehabilitative measures.



- v. Protection of the community: Where there is evidence that the offender is likely to pose a threat to the community, a custodial sentence may be more appropriate. The probation officer's reports should inform the court of the risk posed by the offender to the community in order to inform sentencing.
  - vi. Offender's responsibility to third parties: Where committing an offender to a custodial sentence is likely to unduly prejudice others, particularly vulnerable persons who depend on them, a court should consider if, in light of the nature and seriousness of the offence, the objectives of sentencing can be met with a non-custodial sentence. The court should enquire into the offender's personal circumstances and, where appropriate, seek the assistance of a pre-sentence report.
18. In the final analysis, it is my finding that this was not a suitable case for grant of a non-custodial sentence. A life was lost unnecessarily. In my view, the Accused must serve a custodial sentence. In the end, the Accused is sentenced to serve 7 years imprisonment. The sentence to run from the date of plea taking on 12<sup>th</sup> July, 2022. 14 days right of appeal.

**JUDGEMENT AND SENTENCE DELIVERED, DATED AND SIGNED AT BOMET THIS 26<sup>TH</sup> DAY OF FEBRUARY, 2026.**

.....

**HON. JULIUS K. NG'ARNG'AR**

**JUDGE**

Judgement delivered in the presence of:

Siele/Susan (Court Assistants)

Mr Magoma for the State

Accused:

Kiprop (Probation Officer)

