

**REPUBLIC OF KENYA**

**IN THE HIGH COURT OF KENYA AT BOMET**

**CRIMINAL CASE NO. E007 OF 2023**

**REPUBLIC.....**

**PROSECUTION**

**VERSUS**

**HILLARY KIBET RONO .....**

**ACCUSED**

**JUDGMENT AND SENTENCE**

1. The Accused, **Hillary Kibet Rono** was charged with the 1<sup>st</sup> Count of Murder Contrary to **Section 203 as read with Section 204 of the Penal Code**. The

particulars of the offence were that on **30<sup>th</sup> March 2023** at Machiliet Village in Ndaraweta Sub-Location, Bomet Central Sub- County within Bomet County, he murdered **Aron Kiplangat.**

2. The Accused, **Hillary Kibet Rono** was charged with the 2<sup>nd</sup> Count of Murder Contrary to **Section 203 as read with Section 204 of the Penal Code.** The particulars of the offence were that on 30<sup>th</sup> March 2023 at Machiliet Village in Ndaraweta Sub-Location, Bomet Central Sub- County within Bomet County, he murdered **Brian Kipyegon.**

3. The Accused took plea on **19<sup>th</sup> April, 2023** where he pleaded not guilty to the two counts of murder.

4. A Plea-Bargaining Agreement was filed 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.

5. On **25<sup>th</sup> November 2025**, the Accused took plea for the two counts of manslaughter. The charge and every element thereof were 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.

6. The facts of the case were read out to the Accused as follows: -

**“On 30<sup>th</sup> March 2023 at about 3 p.m., the Accused was home with his two children Aron Kiplangat 3 years and Brian Kipyegon 2 years now deceased. The Accused had recently separated from his wife and solely taking care of their two children. He took the two children who were playing outside into the house. He locked the door. After a few minutes, he called his mother and brother and told them that he had killed the two children and that he had also taken poison. He then took off saying he was going to jump into the river and kill himself.**

**The family raised the alarm and chased after the Accused. They caught up with him hiding in a thicket. They took him to Ndaraweta Police Post where he lost consciousness and was rushed to Longisa County Referral Hospital for treatment. He was treated and discharged on 1<sup>st</sup> April 2023.**

**Meanwhile, police officers visited the scene and found the two bodies in a pool of blood. They collected the two bodies to Longisa County Referral Hospital. On 3<sup>rd</sup> April 2023, a post mortem was performed on the bodies of the two deceased children established the cause of death as hemorrhagic shock secondary to completely severed neck secondary to a sharp object.**

**The Accused who attributed his actions to a dispute with his wife arraigned in court and charged with murder which offence has now been commuted to a charge of manslaughter.”**

7. 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**

8. A Pre-Sentence probation report was filed on 11<sup>th</sup> March, 2026 and it indicated that the offence was influenced by domestic issues between the Accused

and his wife. That on the material day, the Accused called the victims home and killed them using a tea pruning knife then took poison and thereafter called his mother to inform her that he had killed his children

9. The Pre-Sentence probation report stated that the community held the Accused in a negative light. The community further stated that he was not welcomed as his safety could not be guaranteed. The community called for justice for the victims.

### **Victim Impact Statement.**

10. The victim was the Accused's son. The report stated that the victim's mother was still overwhelmed with grief and that the death of their sons had dealt her a

big blow. That the mother demanded justice for her sons and opposed the Accused's release on a non-custodial sentence.

11. 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.**

12.This is in line with **Article 159(2) of the Constitution of Kenya** which promotes involvement of parties in resolution of matters.

13.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.**

14. I have considered the circumstances of the case and the pre-sentence report. It is my finding that the circumstances in this case were aggravating. The Accused who was the victim's father was supposed to be a care giver and protector and not a butcher. In my view, the Accused deserves a deterrent sentence.

15. In the end, the Accused is sentenced to serve **15 years imprisonment for each Count**. The sentences are to run concurrently. The sentences shall run from the date of plea taking which is **19<sup>th</sup> April, 2023**.

16.14 days Right of Appeal.

**Judgement delivered, dated and signed this 18<sup>th</sup>  
day of March, 2026**

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

**Judgement delivered in the presence of;**

**Siele/Susan - Court Assistants**

**Ms Koech for the State**

**Mr. Ondiek for the Accused**

**Kiprop - Probation Officer**