

REPUBLIC OF KENYA
IN THE HIGH COURT OF KENYA AT KERICHO
CRIMINAL CASE NO. 3 OF 2015

REPUBLIC.....PROSECUTOR

VERSUS

DOMINIC KIPROTICHKIRUI.....1ST
ACCUSED

VICTOR CHERUIYOT YEGON.....2ND
ACCUSED

SENTENCE

1. The Accused Persons herein namely Dominic Kirui Kiprotich and Victor Cheruiyot Yegon were convicted for the offence of Manslaughter Contrary to Section 202 as read with Section 205 of the Penal Code.
2. This Court invited the Accused Persons to make submissions in mitigation and further called for a pre-sentence report from the County Probation Officer.
3. It is the submission of Mr. Kirui, Learned Advocate for the Accuseds that the Accused Persons are young offenders who are also first time offenders. The Learned Advocate also stated that the families of the victims and the offenders have

been reconciled and that the Accused Persons have shown remorse.

4. This Court was urged to give a lenient sentence.
5. The Kericho County Probation Officer filed a pre-sentence report in which he recommended for the Accused Persons to be placed on Probation and or a non-custodial sentence. The Probation Officer's Report indicate that the Accused Persons enjoy good relationship with the Community Members.
6. I have considered the mitigating factors plus the Pre-sentence Report filed by the County Probation Officer. It is clear in my mind that the appropriate sentence in the circumstances is a short custodial sentence.
7. The record shows that the Accused Persons were in custody for a period of 1 year 2 months i.e from 5/2/2015 to 13th July, 2016.
8. While sentencing, that period served in custody must be factored in under the Proviso to Section 333 (2) of the Criminal Procedure Code. I sentence each of the Accused Persons to serve 8 years imprisonment. However, the period

of 1 year 2 months served in custody should be deducted from the sentence meted out.

9. Consequently, the Accused Persons should therefore each serve 6 years 10 months.

Dated, signed and delivered at Kericho this 19th day of March, 2026

.....
J. K. SERGON
JUDGE

In the presence of:

C/Assistant - Rutoh

Prosecutor - Kimaru

Accused - Present in Person