



**Republic v Chepngeno (Criminal Case E018 of 2024)
[2025] KEHC 5370 (KLR) (30 April 2025) (Sentence)**

Neutral citation: [2025] KEHC 5370 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT KERICHO
CRIMINAL CASE E018 OF 2024**

**JK SERGON, J
APRIL 30, 2025**

BETWEEN

REPUBLIC PROSECUTOR

AND

FAITH CHEPNGENO ACCUSED

SENTENCE

1. Faith Chepngeno the Accused herein, pursuant to a plea bargaining agreement was convicted with the offence of manslaughter contrary to Section 202 as read with Section 205 of the Penal Code Cap 63 Laws of Kenya. The particulars of the offence are that, the accused on the 27th day of June, 2024 at Nyaberi Village, Simbi Sub-Location in Soin/Sigowet Sub County within Kericho County, unlawfully killed Geoffrey Bii.
2. Upon convicting the accused person for the aforesaid offence, this court directed the county probation officer to file a pre-sentence report and also invited the accused to make submissions in mitigation to guide the court in determining the appropriate sentence to be meted out.
3. Mr. Kiprono, the Learned Counsel for the Accused, submitted that the accused was deeply remorseful for the events that culminated in the demise of the deceased who was her husband. He submitted that a fight had erupted when the deceased questioned why food was not ready. He submitted that the families had reconciled and conducted traditional cleansing rites. The Learned Counsel submitted that the offender is a first offender and therefore urged this court to exercise leniency during sentencing and consider a non custodial sentence.
4. Miss Maundu, the Learned Assistant Director of Public Prosecutions, elected not to make any submissions, she left the matter for the court’s discretion.
5. This court also called for a pre-sentence report. I have considered the pre-sentencing report prepared and filed by the Kericho County – Probation Officer in respect of the accused person. In the aforesaid



report, it is noted that the family of the offender had conducted customary cleansing rites as per the Kipsigis culture and they were therefore seeking for the court's leniency during sentencing on account that the offender has young children in need of care and protection. The family of the offender attributed the offence to longstanding marital challenges between the offender and the deceased over allegations of infidelity and abuse of alcohol by the deceased.

6. On the material day, it is reported that the offender and the deceased quarreled over a delay in lunch preparation and that the heated altercation escalated into a physical struggle where the offender picked a kitchen knife and in the process of defending herself, stabbed the deceased who succumbed to the fatal injuries.
7. The offender deeply regrets the offence which culminated in the demise of the deceased, she committed to be a law abiding citizen and to embrace positive change.
8. The family of the victim confirmed that reconciliatory talks were held and that they had forgiven the offender whom they recognize as their daughter -in -law. The family of the victim have continued to support and visit the offender in custody and expressed the willingness to welcome her back home if released.
9. The offender has strong ties in the community. The community took part in the reconciliation process and therefore held no grudge against the accused. The local administrator and the community are not opposed to a non-custodial sentence.
10. Based on the findings of the social inquiry and assessment, the probation officer in noting that the community was not hostile and that the home environment is favourable found that the offender was suitable for a non-custodial sentence and likely to benefit from counselling sessions on anger management and conflict resolution. The probation officer therefore recommended the offender for placement on a probation order for a period of three years subject to this court's verdict.
11. This court has considered that the accused person was arrested soon after committing the instant offence, she was arraigned and charged on 25th July, 2024 and remanded. The accused made an application for reasonable bail/bond terms and was granted a bond of Kshs. 200,000/= with a surety of similar amount, however, there is no indication in the court record that she was released, therefore the accused has been in custody for eight months.
12. I have considered the circumstances of the offence, submissions in mitigation and having further considered the contents of the pre-sentence report filed by the county probation officer in respect of the accused person. In the circumstances of this case, I find that the appropriate sentence should be non-custodial. Consequently, I hereby sentence the Accused namely; Faith Chepngeno to serve 3 years on Probation under the supervision of the Kericho County Probation Officer.

DATED, SIGNED AND DELIVERED AT KERICHO THIS 30TH DAY OF APRIL, 2025

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J. K. SERGON

JUDGE

In the presence of:

C/Assistant – Rutoh

Prosecutor – Maundu

Convict – Present in Person



Kirui holding brief for Kiprono for the Accused

