



**Republic v Oduol (Criminal Case E003 of 2023)
[2024] KEHC 8305 (KLR) (29 February 2024) (Sentence)**

Neutral citation: [2024] KEHC 8305 (KLR)

**REPUBLIC OF KENYA
IN THE HIGH COURT AT MIGORI
CRIMINAL CASE E003 OF 2023
RPV WENDOH, J
FEBRUARY 29, 2024**

BETWEEN

REPUBLIC STATE

AND

TOBIAS OCHIENG ODUOL ACCUSED

SENTENCE

1. The accused pleaded guilty to a lesser charge of manslaughter and hence did not waste the courts time. He was treated as a first offender. I have taken into account his plea in mitigation that he is remorseful and pleads for leniency; that he was intoxicated at the time he committed the offence; that he has school going children who depend on him and his aged parents; that he is ready to deal with alcoholism or even seek rehabilitation; that he has been in remand for one year.
2. This court has also taken into account the social enquiry report prepared by the Probation Officer. The victim in this case was accused’s wife. Though the victims’ relatives support plea for leniency for the sake of the children, if the accused was unhappy with the wife, he should have done the noble thing, to walk away but not take away such a young life. It is noteworthy that though the accused met the deceased at a funeral and there was a disagreement between them, he was armed and attacked her with the knife he was hiding on his body. The attack was premeditated and the court will prefer a custodial sentence. In the circumstances, I hereby sentence Accused to serve nine (9) years imprisonment and the sentence will commence on 10/1/2023 when he was arraigned before this court for plea.

DELIVERED, DATED AND SIGNED AT MIGORI THIS 29TH DAY OF FEBRUARY, 2024.

R. WENDOH

JUDGE

In presence of; -



Mr. Oimbo for the state

Appellant Present

Ms. Emma / Phelix –Court Assistant

