



REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA AT NYERI  
HIGH COURT CRIMINAL APPEAL NO. 204 OF 1996  
(ORG. SPM NYI CR. C. 4251/94)

EDWARD KIMOTHO NDEGWA ..... APPELLANT  
VERSUS  
REPUBLIC ..... RESPONDENT

JUDGEMENT

The Appellant was charged and convicted with manslaughter C/S 202 as read with Section 205 of the Penal Code. He was sentenced to 10 years imprisonment. The appeal is against sentence only. The appellant was a first offender and in his mitigation he pleaded for leniency. He said he was married with 3 children and their mother has ran away from him after the incident. In the circumstances I consider the sentence to be on the higher side.

The appeal against sentence is allowed. The sentence of 10 years imprisonment is set aside and substituted with a sentence of 6 years imprisonment. To that extent this appeal is allowed otherwise the appeal is dismissed.

**Delivered and dated at Nyeri this 29th day of October 1996.**

**J.L.A. OSIEMO**  
**JUDGE**



While the design, structure and metadata of the Case Search database are licensed by [Kenya Law](#) under a [Creative Commons Attribution-ShareAlike 4.0 International](#), the texts of the judicial opinions contained in it are in the [public domain](#) and are free from any copyright restrictions. Read our [Privacy Policy](#) | [Disclaimer](#)