



Case Number:	Criminal Case 22 of 2019
Date Delivered:	18 Dec 2020
Case Class:	Criminal
Court:	High Court at Kisii
Case Action:	Sentence
Judge:	Rose Edwina Atieno Ougo
Citation:	Republic v Robinson Leshan & another [2020] eKLR
Advocates:	Mr. Nyakundi Present for Accused persons Mr. Otieno Senior Prosecution Counsel Office of the DPP
Case Summary:	-
Court Division:	Criminal
History Magistrates:	-
County:	Kisii
Docket Number:	-
History Docket Number:	-
Case Outcome:	Accused persons sentenced to 20 years Imprisonment
History County:	-
Representation By Advocates:	Both Parties Represented
Advocates For:	-
Advocates Against:	-
Sum Awarded:	-
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REPUBLIC OF KENYA

IN THE HIGH COURT OF KENYA

AT KISII

CRIMINAL CASE NO.22 OF 2019

REPUBLIC.....STATE

VERSUS

ROBINSON LESHAN.....1ST ACCUSED

BERNARD NYAKUNDI MUCHERE.....2ND ACCUSED

SENTENCING

I have considered the mitigation raised by counsel for the accused persons, **Robinson Leshan** and **Bernard Nyakundi Muchere** together with the pre-sentence reports. The reports are not favourable however I do note that they are 1st offenders. I have considered the principles that govern sentencing:

The victim’s wife is quite bitter. She lost a husband and has undergone through a lot since he died.

The charge of murder has a penalty of death. Bearing in mind the current jurisdiction by the Supreme Court on the death sentence, together with the period the accused persons have been in remand and the circumstances under which the deceased met his death I sentence each accused person to 20 years imprisonment. Each accused person has a right of appeal within 14 days.

Dated, signed and delivered at KISII this 18th day of December 2020.

R.E. OUGO

JUDGE

In the presence of;

Mr. Nyakundi Present for Accused persons

Mr. Otieno Senior Prosecution Counsel Office of the DPP

Ms. Rael Court Assistant



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