



Case Number:	crim app 204 of 96
Date Delivered:	29 Oct 1996
Case Class:	Criminal
Court:	High Court at Nyeri
Case Action:	-
Judge:	John Luka Osiemo
Citation:	EDWARD KIMOTHO NDEGWA vs REPUBLIC[1990]eKLR
Advocates:	-
Case Summary:	-
Court Division:	-
History Magistrates:	-
County:	-
Docket Number:	-
History Docket Number:	-
Case Outcome:	Allowed
History County:	Baringo
Representation By Advocates:	Neither party represented
Advocates For:	-
Advocates Against:	-
Sum Awarded:	-
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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**



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