

**IN THE HIGH COURT OF THE UNITED REPUBLIC OF TANZANIA
(IN THE SUB-REGISTRY OF MWANZA)**

ORIGINAL JURISDICTION

AT MWANZA

CRIMINAL SESSION CASE NO. 140 OF 2022

THE REPUBLIC

VERSUS

1. JOSEPH S/O MANG'ERA

2. PETER S/O MUSSA

ORDER/SENTENCE

In sentencing the accused persons, I have taken the following factors into consideration.

One; the accused persons are first offenders.

Two; the accused have pleaded guilty to the charge hence saving time and expenses.

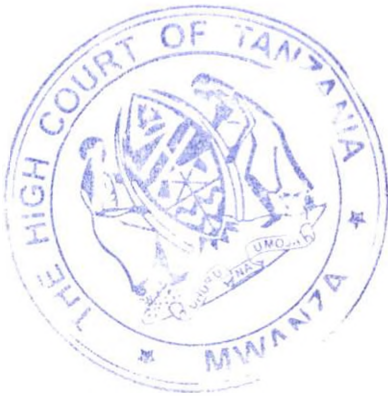
Three; the circumstances leading to the death of the deceased are as suggested by learned counsel for the accused such that the accused committed the offence accidentally and substantively while quelling the fight.

There is, however, no dispute that their intervention has cost a previous life of a human being. Courts are alert that human life should be preserved at any costs.

The maximum sentence for such an offence is life imprisonment.
Considering the above factors, I think a sentence of two years prison term
is not only lenient but also deserved.

I, in consequence, sentence the 1st and 2nd accused to two (2) years
term of imprisonment each.

Rights of appeal are explained.



W.P. Dyansobera
Judge
13.05.2022