

GHANA / JUDGMENT

Republic Vrs Afenu (F14/01/2022) [2024] GHAHC 310 (21 March 2024)

COURT
ghahcDECIDED
21 March 2024

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1 IN THE SUPERIOR COURT OF JUDICATURE IN THE HIGH COURT OF JUSTICE SITTING IN HO-VOLTA REGION CORAM: H/L JUSTICE YAW OWOAHENE-ACHEAMPONG J. SUIT NO: F14/01/2022 21ST MARCH, 2024 THE REPUBLIC VERSUS: - BRIGHT K. AFENU Accused present Jurors present save 1st Juror Celestine Arku (ASA) for the Republic present Saviour S. Asase for accused present SENTENCE The accused person herein was charged with the offence of murder contrary to section 46 of Act 29/60. On 16/03/2023, when the plea of the accused was re-taken, he pleaded not guilty to the charge of murder. 2 However today, even though the accused has maintained his not guilty plea to murder, he has willingly pleaded Guilty to the charge of manslaughter even though not charged under section 239 (2) and (3) of Act 29/60. The accused was therefore convicted on his own plea to the charge of manslaughter contrary to section 50 of Act 29/60. Counsel for the accused put in plea of mitigation of punishment praying that the court may have mercy on the accused and impose eight (8) years imprisonment for the accused. The State Attorney in the matter did not oppose the plea of mitigation but she proposed a sentence of Ten (10) years for the accused. Having taken into account the fact that the accused has shown some remorse by pleading guilty simpliciter to the offence of or manslaughter which may attach a life imprisonment. And having spent some five (5) in custody since committing the instant offence, I am inclined not to be too harsh on the accused. In the circumstance of the case this court shall impose a sentence of nine (9) years imprisonment IHL for the accused. The accused is discharged on the charge of murder. The accused is sentenced accordingly. (SGD.) H/L JUSTICE YAW OWOAHENE-ACHEAMPONG JUSTICE OF THE HIGH COURT 3 eve

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