

IN THE COURT OF APPEAL OF TANZANIA

AT DAR ES SALAAM

(CORAM: Mustafa, J.A., Mwakasendo, J.A. and Makame, J.A. )

CRIMINAL APPEAL NO. 34 OF 1980

B E T W E E N

IBRAHIM MRISHO . . . . . APPELLANT

A N D

THE REPUBLIC . . . . . RESPONDENT

(Appeal from the conviction and sentence  
of the High Court of Tanzania at Ngudu)  
(Munyera, J.) dated the 19th day of April,  
1980,

in

Criminal Sessions Case No. 102 of 1979

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JUDGMENT OF THE COURT

MUSTAFA, J.A.:

The appellant was convicted of murder on circumstantial evidence. However, the circumstances point irresistably to the appellant as the person who had killed the deceased. From the deceased's body, where it was found, there was a trail of blood which led to very near the appellant's house; in the house of the appellant were articles of clothing and a blood stained bucket and knife which had blood corresponding to the blood group of the deceased. In the appellant's house was also found a bible belonging to the deceased. The appellant was the sole occupant of his house. The appellant had attempted to explain away the blood stains by saying they were caused by his nose bleed or the blood of a chicken he had killed. The appellant, put forward a plea of alibi, and called a witness in support who however did not at all corroborate the appellant's evidence.

We are satisfied that the conviction of the appellant of the murder of the deceased was sound and we dismiss the appeal.

DATED at DAR ES SALAAM this 19th day of May, 1981.

A. MUSTAFA

JUSTICE OF APPEAL

Y.M.M. MWAKASENDO

JUSTICE OF APPEAL

I. M. MAKAME

JUSTICE OF APPEAL

I certify that this is a true copy of the original.

( C. G. MTENGA )

REGISTRAR