

IN THE HIGH COURT OF TANZANIA

AT MTWARA

MISC CRIMINAL APPLICATION NO. 4 OF 2020

ORIGINAL MTWARA DISTRICT COURT

ECO CRIME CASE NO. 1 OF 2020

MUSSA SALUM MBARUKU.....1ST APPLICANT

ABILAH DADI MBARUKU.....2ND APPLICANT

VERSUS

THE REPUBLIC.....RESPONDENT

PROCEEDINGS

Date: 10/3/2020

Coram: Hon. L. KASEBELE, AG. DR

1st Applicant – Absent

2nd Applicant - Absent

Respondent – Absent

For respondent – Absent

B/C: Mariam Mshana – RMA

Order: For hearing on 18/3/2020.

- Parties to be summoned to appear.

L. Kasebele

Ag. DR

10/3/2020

Date: 18/3/2020

Coram: Hon. W.P DYANSOBERA, J

1st Applicant – Present

2nd Applicant - Present

Respondent – Absent

For respondent – Ms. Caroline Matemu (S/A)

B/C: Mariam Mshana – RMA

Ms. Caroline Matemu (Senior State Attorney):

My Lord, this is an application for bail. On our part we have no objection.

1st Applicant

I pray for bail. I am charged in economic case No. 1 of 2020 before Mtwara District Court. The source is loss of Amcos money. The amount is over 30 million.

2nd Applicant

My Lord, I am also applying for bail. I have a family. I am charged in the District Court on a loss of money, the property of Amcos. The value according to the charge sheets is over 30 million. We pray for bail.

RULING

This is an application for bail. The application has been preferred under the relevant provisions of the laws and supported by the affidavits duly sworn by the applicants in their respective capacities. I have considered the

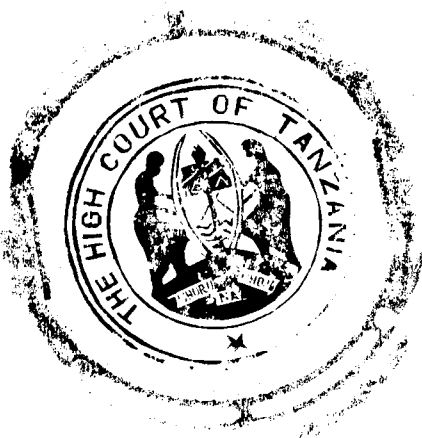
affidavits in support of the application. The applicants undertake to abide by bail conditions.

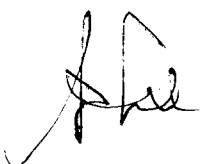
There is no dispute that the offence is bailable and the court has discretion. In view of the fact that the application has not been resisted the same is granted.

The applicants are, thus,, admitted to bail on the following conditions:-

1. Each applicant accused shall execute a bail bond of Tsh. 20,000,000/= with two sureties each in the same amount.
2. The sureties to have evidence proving that they possess immovable property situated in Mtwara Region.
3. The sureties to be approved by the Deputy Registrar, High Court.
4. The applicants/accused shall not travel outside the Mtwara region unless they seek and obtain a written permission from the Resident Magistrate in charge of Mtwara Region.
5. The applicants/accused shall surrender any travel documents, if any, to the OCD, Mtwara.
6. The accused to abide by the said bail conditions and take their trial as directed by the Resident Magistrate's court.

It is so ordered.




W. P. DYANSOBERA
JUDGE
18/3/2020