

**IN THE HIGH COURT OF TANZANIA**  
**(DAR ES SALAAM DISTRICT REGISTRY)**

**AT DAR ES SALAAM**

**CONSOLIDATED MISCELLANEOUS CRIMINAL APPLICATIONS NO.  
125 AND 126 OF 2021**

(Originating from Economic Crime Case No. 133/2019 at the Resident  
Magistrate's Court of Dar es Salaam at Kisutu before Hon. Kassian, PRM)

**TITI SAID LIGALWIKE ..... 1<sup>ST</sup> APPLICANT**

**ZAITUNI PIERSON ..... 2<sup>ND</sup> APPLICANT**

*VERSUS*

**THE REPUBLIC ..... RESPONDENT**

**RULING**

12<sup>th</sup> July, 2020.

**E. E. KAKOLAKI J**

In these consolidated applications which are not contested by the Respondent, the applicants TITI SAID LIGALWIKE and ZAITUNI PIERSON are seeking indulgence of this court to grant them bail. The applicants together with three other accused persons on different counts are facing charges of ***Forgery***, Contrary to Section 333, 335 (a) and 337 of the Penal Code [Cap. 16, R.E. 2002] ***Stealing***, Contrary to Section 258(1) (2) (a) and 265 of the Penal Code [Cap. 16 R.E 2002] and ***Occasioning Loss to Specified Authority***, Contrary to paragraph 10(1) of the First Schedule to, and Section 57(1) and Section 60(2) of the Economic and Organized Crime

Control Act [Cap 200 R. E. 2002] as amended, in Economic Crime Case No. 133 of 2019 before the Resident Magistrates Court for Dar es Salaam Region at Kisutu.

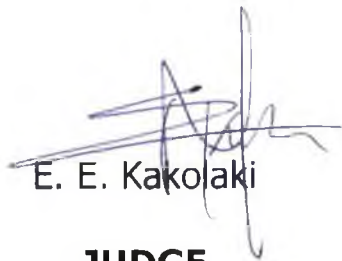
The value of the loss allegedly occasioned to Tanzania Port Authority which is a specified authority as a determinant factor for issuing bail condition is ***Tanzanian Shillings Four Hundred Thirteen Million Two Hundred Eight Five Thousand Four Hundred Twenty Two and Thirty Cents.*** (Tshs. 413,285,422.30).

Having visited the affidavits in support of both applicants as well as the charge sheet, I am satisfied that the offences with which the applicants are charged with are bailable and that they have met the conditions for being considered for bail. However, in order to determine how much money is each applicant responsible with for the purposes of effecting the principle of sharing the total amount involved has to be divided to four persons appearing in the charge sheet. Dividing Tshs. 413,285,422.30 into four each accused/applicant is responsible for Tshs. 821,657,084.4. That said applying the provisions of Sections 29(4) (d) and 36 (5) (a) (b), (c) (d) and 6(a) (b) (c) of EOCCA, I hereby proceed to grant bail to the applicant on the following terms:

- (1) Each applicant is to deposit in court cash half of ***Tanzania Shillings Eight Two Million Six Hundred Fifty Seven Thousand Eighty Four and 4 Cents*** (Tshs. 82,657,084.4) or the property equivalent to half value of the said amount and the rest of the amount be secured by execution of bond in writing.

- (2) Each applicant has provide two reliable sureties who are to e a bond of ***Tanzanian Shillings Twenty Million*** 20,000,000/=) each and to satisfy the court that sureties are employees of the Government or possess National Identity issued by NIDA, with permanent residences within Dar es Salaam Region.
  - (3) The applicants should not leave the jurisdiction of the court v prior permission from the Resident Magistrates Court of Dar es Salaam Region at Kisutu.
  - (4) The applicants are to report to the Regional Crime Officer for Dar es Salaam Region in accordance with the Schedule prescribed him/her.
  - (5) Verification of sureties and bond documents to be executed Resident Magistrate, at the Resident Magistrates Court for Dar es Salaam Region at Kisutu.
  - (6) The applicants are to surrender their passport and or any traveling documents by any to the Resident Magistrate, Resident Magistrates Court for Dar es Salaam Region at kisutu.
- It is so ordered.



  
E. E. Kakolaki

**JUDGE**

**12/07/2021**

## **LATER ON AT**

Coram: E. E. Kakolaki, J

For the Applicant: Mr. Good Luck Charles, Adv. For the 2<sup>nd</sup> Applicant also holding brief for Mr. SAMWEL SHEDRACK for the 1<sup>st</sup> Applicant.

Applicants: Both present in person

Respondent: Absent

### **Mr. Charles, Advocate:**

My Lord, the matter is set for Ruling and we are ready.

### **COURT:**

Ruling has been delivered in court chambers this 12/07/2021 in the presence of Mr. **GOODLUCK CHARLES** Advocate for the 2<sup>nd</sup> Applicant who is also holding brief for Mr. **SAMWEL SHEDRACK** for the 1<sup>st</sup> Applicant and in the absence of the Respondent.



E. E. Kakolaki

**JUDGE**

**12/07/2021**

Right of Appeal explained.



E. E. Kakolaki

**JUDGE**

**12/07/2021**