

**IN THE HIGH COURT OF THE UNITED REPUBLIC OF TANZANIA**  
**MWANZA DISTRICT REGISTRY**  
**AT MWANZA**

**MISC. CRIMINAL APPLICATION No. 19 OF 2021**

*(In the matter of High Criminal Session Case No. 74 of 2021)*

**TWARIBU THABIT..... APPLICANT**

**VERSUS**

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

**RULING**

13<sup>th</sup> September, 2021

**TIGANGA, J.**

This ruling is in respect of the application for bail which was filed under section 148 (1) and 392A (1) and (2) both of the Criminal Procedure Act [Cap 20 R.E 2019]. The applicant Twalibu Thabit is the 1<sup>st</sup> accused in Criminal Session case No. 74 of 2021 High Court Mwanza Registry in which he stands charged with an offence of Manslaughter contrary to section 195 and 198 of the Penal Code [Cap. 16 R.E 2019] is asking for bail pending trial.

The application is supported by the affidavit affirmed by the applicant in which the main ground of the application is one, that the

case is bailable and the applicant is able to secure reliable sureties or fulfill the conditions of bail to be determined by the court.

The respondent, Republic, which appeared in the representation of Ms. Rehema Mbuya - Senior State Attorney did not object the application. The learned Senior State Attorney said, as long as the offence is bailable and the court has jurisdiction to grant bail, then, the republic has no objection.

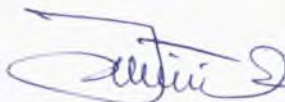
Now this Court being competent to entertain the application for bail of offences triable by High Court, and the offence being bailable in terms of section 148(1) the application is granted on the following conditions, that the applicant who is the first accused in the above mentioned Criminal Session case No. 74 of 2021 pending before this Court, be bailed out by two sureties who will be introduced by the local leaders of the area they are living at. One of the sureties should be employed either in public service or by any reputable institution, and be so introduced by his/her employer.

In terms of section 148 (2) of the Criminal Procedure Act, [Cap 20 R.E 2019] each surety be ready to sign bond worth Tshs 5,000,000/= (Five Millions), and should exhibit to have some immovable properties worth that amount. Sureties shall be approved by the Deputy Registrar.

It is so ordered.

**DATED** at **MWANZA**, this 13<sup>th</sup> day of September, 2021



  
**J. C. Tiganga**  
**Judge**  
**13/09/2021**