

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

MISC. CRIMINAL APPLICATION NO. 221 OF 2021

*(Originating from Economic Crimes Case No. 74 of 2019 before the Resident
Magistrate's Court of Dar es Salaam at Kisutu)*

JAYZAN GEORGE KACHAR @ CHINA ----- 1ST APPLICANT

SAID RASHID MKWANJE ----- 2ND APPLICANT

VERSUS

THE REPUBLIC ----- RESPONDENT

Date of last order: 06/10/2021

Date of the Ruling: 06/10/2021

R U L I N G

MGONYA, J.

Before me is an Application brought under the Certificate of Urgency by the Applicants namely; **JAYZAN GEORGE KACHAR @ CHINA** and **SAID RASHID MKWANJE**.

The Application has been made under **Section 29 (4) (d)** and **36 (1) (7) of the Economic and Organized Crime Control Act, Cap. 200 [R.E 2019]** attached with the Applicants' Joint Affidavit.

The gist of the instant Application before the Court as well submitted by the Applicants is for this Honourable Court to grant the Applicants bail pending hearing of the **Economic Crime Case No. 74 of 2019** hosted in the Resident Magistrate's Court at Kisutu in Dar es Salaam.

Responding to the Application, **Ms. EDITH MAUYA**, the learned State Attorney pronounced before the Court that the Respondent, the Republic herein is not objecting the Application. It is from that stand, **Ms. MAUYA** further submitted that the Republic have been satisfied that the bail to the Applicants be granted in accordance to the legal conditions set in the provisions of **section 36(5) and (6) of the Economic and Organised Crime Control Act, Cap. 200 [R.E 2019], (supra)** respectively.

After going through the Applicants' Affidavit and Charge Sheet attached thereto, together with both parties respective submissions in relation to the instant Application, this Honourable Court is satisfied that the Applicants before the court are eligible for bail as prayed.

In the event therefore, **this Honourable Court proceeds to grant the prayer sought by releasing the Applicants on bail** upon fulfilment of the following legal conditions as per

the provisions of the **Economic and Organized Crime Act**, respectively as hereunder: -

- (i) The Applicants are to deposit into Court a cash sum of Tshs, 85,000,000/= (Eighty Five Million Shillings) only; or in Alternative, to deposit into a court Title Deed(s)/Residential Permit of immovable property (duly certified by the professional valuer) equivalent to the above mentioned sum;***
- (ii) The Applicants are hereby ordered each to have two reliable sureties;***
- (iii) The Applicants are to surrender their travelling document(s) i.e. passport if any to the nearest Police Station within the Jurisdiction where the charge arose;***
- (iv) Further, the Applicants herein are restricted from travelling and visiting any place outside the Dar es Salaam Region without express written permission of the Court.***

Consequently, the Application in favour of the above mentioned Applicants is **granted to the extent, terms and conditions stipulated above.**

It is so ordered.

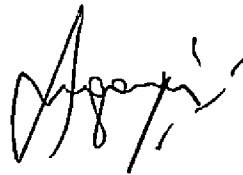


L. E. MGONYA

JUDGE

06/10/2021

Court: Ruling delivered in my chamber in presence of all 1st and 2nd Applicants in person, Ms. Edith Mauya, State Attorney for the Respondent and Ms. Veronica, RMA.



L. E. MGONYA

JUDGE

06/10/2021