

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

MISC. CRIMINAL APPLICATION NO. 177 OF 2021

*(Originating from Economic Crimes Case No. 100 of 2020 before the Resident
Magistrate's Court of Dar es Salaam at Kisutu)*

ALISTIDES RUMANYIKA GENAND

@ STIDE ----- 1ST APPLICANT

SHUKURU AZIZI MCHEGAGE ----- 2ND APPLICANT

MUSA AKILI CHENGULA ----- 3RD APPLICANT

RESPICIOUS DAUDI ISHENGOMA

RUTASHUBILWA ----- 4TH APPLICANT

VERSUS

THE REPUBLIC ----- RESPONDENT

Date of last order: 14/09/2021

Date of the Ruling: 14/09/2021

R U L I N G

MGONYA, J.

Before me is an Application brought under the Certificate of Urgency by the Applicants namely **ALISTIDES RUMANYIKA GENAND, SHUKURU AZIZI MCHEGAGE, MUSA AKILI CHENGULA @ STIDE** and **RESPICIOUS DAUDI ISHENGOMA RUTASHUBILWA.**

The Application has been made under **section 148 (3) and section 392A of the Criminal Procedure Act, Cap. 20 [R.E 2019]; Section 29 (4) (d) 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. 100 of 2020** hosted in the Resident Magistrate's Court at Kisumu in Dar es Salaam.

Responding to the Application, **Ms. CECILIA MKONONGO** the learned Senior State Attorney pronounced before the Court that the Respondent, the Republic herein is not objecting the Application. It is from that stand, Ms. Mkonongo further submitted that the Republic have been satisfied that the bail to the Applicants be granted in accordance to the legal conditions set in **Section 36 (5) and (6) (a), (c) and (d) of the Economic Crimes Act, Cap. 200** respectively.

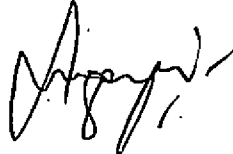
After going through the Applicants' Affidavit and Charge Sheet attached thereto, together with both parties respective submissions in relation to the instant Application, this Honourable Court is satisfied that the Applicants before the court are eligible for bail as prayed.

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 **Criminal Procedure Act**, and the **Economic and Organized Crime Act**, respectively ad hereunder: -

- (i) The Applicants are to deposit into Court a cash sum of Tshs, 177,000,000/= (One Hundred Seventy Seven Million Shillings) or in Alternative, to deposit into a court Title Deed/(s) of immovable property (duly certified by the professional valuer) equivalent to the above mentioned sum;***
- (ii) 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;***
- (iii) The Applicants are hereby ordered each to have two reliable sureties; and***
- (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.

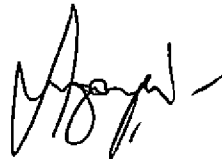


L. E. MGONYA

JUDGE

14/09/2021

Court: Ruling delivered in my chamber in presence of all Applicants, Ms. Cecilia Mkonongo, Senior State Attorney for the Respondent and Ms. Veronica, RMA this 14th day of September, 2021.



L. E. MGONYA

JUDGE

14/09/2021