

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

MISC. CRIMINAL APPLICATION NO. 194 OF 2021

*(Originating from Economic Crimes Case No. 4 of 2021 filed and pending for trial in
District Court of Kisarawe at Kisarawe Coast Region)*

HAMISI YUSUFU @ MAKOWA ----- 1ST APPLICANT
JUMA HAMZA @ WHITE ----- 2ND APPLICANT
UWIHEKA RASHID @ KUNANGUO ----- 3RD APPLICANT

VERSUS

DIRECTOR OF PUBLIC PROSECUTIONS --- RESPONDENT

Date of last order: 29/09/2021

Date of the Ruling: 29/09/2021

R U L I N G

MGONYA, J.

Before me is an Application brought under the Certificate of Urgency by the Applicants namely **HAMISI YUSUFU @ MAKOWA, JUMA HAMZA @ WHITE** and **UWIHEKA RASHID @ KUNANGUO**.

The Application has been made under **sections 29 (4) (d) and 36 (1) of the Economic and Organised Crimes Control Act, Cap. 200 R.E 2002** attached with the 1st, 2nd

and 3rd Applicants' Joint Affidavits duly sworn by the Applicants.

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. 04 of 2021** hosted in the District Court of Kisarawe at Kisarawe, Coast Region.

Responding to the Application, **Ms. KASANA VUMILIA MAZIKU**, the learned Senior State Attorney and **CLEMENCE KATO**, State Attorney pronounced before the Court that the Respondent, the Republic herein is not objecting the Application. It is from that stand, Ms. Maziku further submitted that, the Republic have been satisfied that the bail to the Applicant be granted in accordance to the legal conditions set in **sections 29 (4) (d) and 36 of the Economic and Organized Crime Control Act (Supra)** respectively.

After going through the 1st, 2nd and 3rd Applicants' Joint Affidavits 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.

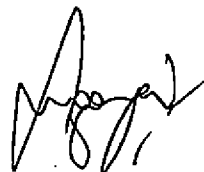
In the event therefore, **this Honourable Court proceeds to grant the prayer sought by releasing the Applicants on bail** upon fulfilment of the following legal conditions as per

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

- (i) The Applicants are to surrender her travelling document(s) i.e. passport of any to the nearest Police Station within the Jurisdiction where the charge arose;*
- (ii) The Applicants are hereby ordered to have two reliable sureties who are in possession of National Identity Card duly issued by NIDA and are ordered to secure bail bond of Tshs. 5,500,000 (Five Million Five Hundred Thousand Shillings) only; and*
- (iii) Further, the Applicants herein are restricted from travelling and visiting any place outside the Pwani and Dar es Salaam Regions 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.

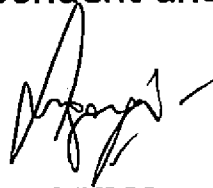


L. E. MGONYA

JUDGE

29/09/2021

Court: Ruling delivered in my chambers in the presence of the Applicants in person, Ms. Kasana Vumilia Maziku, Senior State Attorney and Clemence Kato, State Attorney for the Respondent and Ms. Veronica, RMA.



L. E. MGONYA

JUDGE

29/09/2021