

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

MISC. ECONOMIC APPLICATION NO. 105 OF 2021

*(Originating from Resident Magistrate's Court at Kisutu in Dar es Salaam in Economic
Case No. 23 of 2018)*

MASOUD SAID OMAR ----- 1ST APPLICANT
MOHAMED AMINU MWANGE ----- 2ND APPLICANT
SEPH AMINU MWANGE@NGOLANGE --- 3RD APPLICANT
FIKIRI YUSUPH MUHOMBA
@ MAGOSO ----- 4TH APPLICANT

VERSUS

DIRECTOR OF PUBLIC PROSECUTIONS -- RESPONDENT

Date of last order: 19/7/2021

Date of the Ruling: 19/7/2021

R U L I N G

MGONYA, J.

Before me is an Application brought under the Certificate of Urgency by the Applicants namely; **MASOUD SAID OMAR, MOHAMED AMINU MWANGE, SEPH AMINU MWANGE @ NGOLANGE** and **FIKIRI YUSUPH MUHOMBA @ MAGOSO**.

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. 23 of 2018** hosted in the Resident Magistrate's Court at Kisumu in Dar es Salaam.

Responding to the Application, **Ms. ESTAZIA WILSON** 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. Wilson 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 **Criminal Procedure Act (Supra)** and the **Economic and Organized Crime Control Act (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

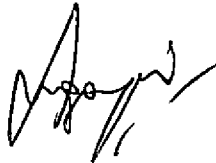
conditions as per the provisions of the **Criminal Procedure Act**, and the **Economic and Organized Crime Act**, respectively ad hereunder: -

- (i) The Applicants are to deposit into Court a cash sum as follows; 1st and 4th Applicants - Tshs. 21,602,500/= (Twenty One Million Six Hundred and Two Thousand Five Hundred Shillings), 2nd Applicant 32,097,875/= (Thirty Two Million and Ninety Seven Thousand Eighty Hundred Seventy Five Shillings) and 3rd Applicant 21,995,375 (Twenty One Million Nine Hundred Ninety Five Thousand Three Hundred Seventy Five 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.

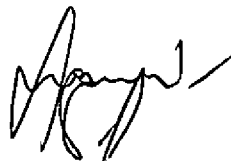


L. E. MGONYA

JUDGE

19/07/2021

Court: Ruling delivered in my chamber in presence of all Applicants, Ms. Estazia Wilson, State Attorney for the Respondent and Ms. Veronica, RMA this 19th day of July, 2021.



L. E. MGONYA

JUDGE

19/07/2021