IN THE HIGH COURT OF THE UNITED REPUBLIC OF TANZANIA

(IN THE DISTRICT REGISTRY OF MUSOMA)

AT TARIME

ORIGIONAL JURISDICTION

CRIMINAL SESSIONS CASE No. 78 OF 2021

THE REPUBLIC

Versus

MUHIRI NYANKAIRA NYANGAIRA

JUDGMENT

23.09.2022 & 27.09.2022

Mtulya, J.:

In the present case, **Mr. Muhiri Nyankaira Nyankaira** (the accused) was arraigned in this court to reply the charge of murder of his biological father, **Mr. Nyankaira Nyankaira** (the deceased) contrary to section 196 and 197 of the **Penal Code [Cap. 16 R.E. 2019]** (the Code). The offence is allegedly to have occurred at Kiongera Village within Tarime District in Mara Region on 17th day of May 2019. When the case was scheduled for hearing in this court for Plea Taking on 11th day of November 2021, the accused person pleaded not guilty.

However, during Preliminary Hearing, his learned counsel, Mr. Tumaini Kigombe, registered a notice, under section 219 (1) the **Criminal Procedure Act [Cap. 20 R.E. 2019]** (the Act) to rely on the defence of insanity. The move was supported by the

accused and upon inquiry of this court, he contended that he was mentally disturbed during motorcycle accident. Following the notice, this court invited section 220 (1) of the Act and ordered detention of the accused at Isanga Institution (the institution) for Medical Examination and preparation of a report on mental condition of the accused. The case hearing was then adjourned to 21st September 2022, after registration of the report.

On this date, 21st September 2022, the Republic had marshalled **Mr. Nimrod Byamungu**, learned State Attorney, who submitted that Isanga Institution had produced the report on 27th April 2022 which shows that the accused is sane person and the report was already communicated to this court and the defence. The submission was supported by both the accused and his Defence Attorney, **Ms. Pilly Otaigo**, learned counsel. The report from the institution referenced No. 11154/2022 prepared on 27th April 2022 was admitted in the case as attachment A and at its conclusion shows, in brief: *he was very anxious after the incidence. He was not suffering from any mental disorder, and was therefore SANE during the time probably committed the alleged crime.*

The conclusion was drawn from the fact that the accused had shown, during his detention at the institution, that:

> *Muhiri Nyangaira Nyankaira was calm, very cooperative with normal posture. His speech was of normal tone and rate, and it was relevant. He had no any thought or perceptual disturbances. He was well oriented to time, place and people. His memory was very good, he could narrate most of staff related to his life. His judgment was good. Throughout his stay at Isanga Institution, he was not on any psychotropic mediation. He was sleeping and eating normally.*

From the indicated materials, Mr. Binamungu played the case to proceed under normal procedure for sane persons who are alleged to commit the offence of murder. The prayer was not protested by the defence counsel Ms. Otaigo and the accused. In order to establish the offence against the accused, Mr. Byamungu had summoned a total of five (5) witnesses to substantiate the allegation of murder against the accused.

Mr. Chacha Marwa (PW5) testified that he had seen and recognized the accused person attacking the deceased at his farm land on 17th May 2019 at morning of 09:00hours. According

to PW5, he initially heard the deceased screaming for assistance and upon going next to him, he found the accused on top of the deceased attacking at the neck and witnessed the event in ten human steps. Regarding the recognition of the accused, PW5 stated he had lived with the deceased at the same hamlet of Robatende within Kiongera Village in Tarime District since his birth about Nineteen (19) years ago and saw him from his head and ears. On identification of the accused at the scene of the crime, PW5 stated that the event took place in morning hours in broad light and accused had dressed black shirt and deceased red shirt on the top. PW5 testified further that he was terrified by the killing event as he was a small child of sixteen (16) years and escaped in search of assistance to neighboring houses.

According to PW5, when he returned at the scene of the crime, he found the deceased has already expired and the villagers had already assembled at the crime scene, whereas the accused was bare chested. During the hearing of the case, PW5 correctly identified the accused in the dock. However, PW5 testified that he saw the accused from the back and could not remember the colour of the accused's trouser.

Mr. Joseph Gabriel Sululu (PW1) was marshalled in the case to testify motive of the killing of the deceased by the accused. In his testimony he stated that between 2013 and 2020 he had served as Secretary to the **Susuri Land Ward Tribunal** (the tribunal) and on 22nd April 2019, the tribunal had registered **Land Dispute No. 13 of 2019** (the dispute) in which the deceased sued his two sons, namely: the accused and Juma Nyankaira. According to PW1 the dispute was scheduled for hearing on 14th May 2019, and Juma Nyankaira admitted the claim, but the deceased had declined and stated: *mwenyewe nitajua cha kufanya*.

PW1 testified further that, the dispute was set for another hearing date on 21st May 2019, but before the hearing date, he heard news from a Community Police that the accused killed the deceased. Finally, PW1 testified that he went at the deceased's resident and found the accused with several dusts in his body, one finger injured and bare chested. However, PW1 testified that he had no any summons or other documents to substantiate his allegations of land disputes. Regarding motorcycle accident, PW1 testified that the accused was injured in a motorcycle accident, but was in good conditions capable of driving vehicles and

transporting villagers from Kiongera Village to Tarime Center and he had never been chain-tied to control him from unusual behaviors.

In order to establish the accused was arrested at the deceased's residence bare-chested and pointing of fingers of the death of the deceased to the accused, the prosecution summoned two (2) police officers, namely: first, F.4397 Detective Mustafa (PW2); and second, G.5081 Detective Corporal Cyril (PW3). PW3 testified that on 17th May 2019, the police investigation team went at the scene of the crime and deceased's residence where they found and arrested the accused from the villagers present at the deceased's house. According to PW2, the deceased was attacked by the deceased with sharp object at the neck and following the killing, the villagers had detained him in bare-chested for the police arrival. PW2 finally tendered a sketch map of the scene of the crime which was admitted as exhibit P.1. However, PW2 stated that had inspected the accused and did not trace any blood stains or injuries.

PW3 on the other hand testified that he was investigating the case and on 19th May 2019 went to Tarime District Hospital with the deceased's relatives to witness the postmortem

examination of the deceased and witnessed the deceased with a wound-cut at the esophagus suggesting that he was attacked by a sharp weapon. Regarding the cause of death of the deceased, Medical Doctor, Dr. Masiaga Joseph Chacha (PW4) was marshalled during the hearing of the case. PW4 testified that he conducted postmortem examination and prepared a report on 19th May 2019 which shows that the source of death was excessive loss of blood.

During the defence hearing, the defence side had marshalled one (1) witness, the accused himself (DW1) to testify and tendered one (1) exhibit in disputing the prosecution case. DW1 testified that he was involved in motorcycle accident at Kiongera Centre and lost his consciousness as one of the motorcycle iron bars penetrated to inner part of his left head-skull to cause excessive loss of blood and insanity. DW1 testified further that the insanity caused his relatives to tie-hand him in several occasions to avoid fracas at the family and that he has been receiving treatment since 2017 in various hospitals, including: Tarime District Hospital, Bugando Medical Centre, Mbijiwe Diagnostics Centre in Tanzania and Migori County Referral Hospital in Kenya.

In order to substantiate his testimony, DW1 tendered in court Filter Clinic Attendance Card Migori County Referral Hospital of Kenya, Bugando Medical Centre Prescription Forms and Mbijiwe Diagnostics Centre CT-Scan Examination Report which were collectively admitted as exhibit D.1. However, exhibit D.1 was not read before the court as DW1 was not an expert and invitation to an expert was dismissed for avoidance of conflicting expert opinion in **attachment A** and want of the precedent in **Robinson Mwanjisi & Three Other v. Republic** [2003] TLR 218. Finally, DW1 narrated details of his personal background and life details from his studies, life at Kiongera Village, education background and highest level of passengers' service vehicle (PSV) license awarded in Mwanza. However, DW1 could not recall what transpired on 17th May 2019 and that PW1 should not be believed as he was a small child in 2019.

Following the registered materials in the case, learned minds in Mr. Byamungu and Ms. Otaigo fine-tuned the facts and evidences in order to assist this court in arriving at justice of the parties. According to Ms. Utaigo, it is upon the prosecution to establish a case against the accused beyond reasonable doubt, and the defense's role is to raise doubts not to establish

innocence of the accused. In her opinion, in the present case there are two doubts, namely: first, mental status of the accused; and second, faults in prosecution evidences.

In the first place, Ms. Otaigo contended that the defence has registered materials to show that the accused is insane and is unaware of what transpired on 17th May 2019 and had justified from exhibit D.1 and there is no dispute on the accident which had caused insanity to the accused. In her opinion, Ms. Otaigo, thinks that, it is now the turn of the court to decide the matter and not expert opinion. On the second level, Ms. Otaigo submitted that prosecution witnesses who were brought in the case had produced doubts. In his submission, Ms. Otaigo stated that: first, PW1 did not come with any document to substantiate his allegations of land dispute; and second, PW5 is not credible and reliable witness as he failed to state how he managed to identify the accused as he testified he saw the attacker from the back side; and finally, the evidence of PW1 and PW2 are in contradictions as PW1 stated the accused had injuries on hand during the arrest whereas PW2 testified that the accused had no any injuries during the arrest.

In order to bolster her argument, Mr. Otaigo cited the authorities in **Waziri Amani v. Republic** [1980] TLR 250 on visual identification of accused persons and **Francis Siza Rwambo v. Republic**, Criminal Appeal No. 12 of 2019 on contradiction of evidences between witnesses. Finally, Ms. Otaigo submitted that the Republic marshalled PW4 without any postmortem examination report hence the death of the deceased has not been established to hold the accused responsible for murder.

Mr. Byamungu on his part submitted that the Republic has established its case beyond reasonable doubt that the death has actually occurred as per registered evidences of the witnesses and there is no need to register postmortem examination report as part of the record to prove the death of the deceased. In order to substantiate his claim, Mr. Byamungu cited the authority in the precedent of **Leonard Nkoma v. Republic** [1978] LRT 58.

Regarding who had caused the death of the deceased, Mr. Byamungu submitted that the facts and evidences produced in the case pointed a finger to the accused as the killing occurred in broad lights of morning hours and PW5 had lived with the accused in more than fifteen (15) good years. Mr. Byamungu submitted further that the proximity between PW5 and the scene

of the crime was very near for PW5 to identify the accused, the deceased and clothes of each of them.

According to Mr. Byamungu witness PW5 did not see the face of the attacker, but he explained in details on how he knew the accused which goes to recognition rather than identification, which is very stronger in recording witness's evidences. To Mr. Byamungu, PW5 mentioned the accused immediately after the event to correspond with the decision of the Court of Appeal in the precedent of **Marwa Wangiti Mwita & Another v. Republic** [2002] TLR 39 hence PW5 is credible and reliable witness to trust.

To Mr. Byamungu, PW5 was a child of sixteen (16) years at the time when the offence occurred and has no any interest against the accused and that even the accused struggled to find any complaint against the child. In the opinion, of Mr. Byamungu, even if this court finds any problem with the identification of the accused by PW5, it may invite section 122 of the **Evidence Act** [Cap. 6 R.E. 2019] (the Evidence Act) to presume existence of certain facts in the case, especially the conduct of the accused at the scene of the crime with a bare chest.

With regard to defence case, Mr. Byamungu submitted that DW1 had registered weak evidence related to insanity and produced medical reports in D.1 without any reading or interpretation of the reports. According to Mr. Byamungu, the accused has displayed rational thinking during the hearing of the case save for the questions related to the death of his deceased father. Mr. Byamungu submitted further that the accused can recall training attended and teachers participated in the trainings. In Mr. Byamungu's opinion, the accused his hiding some facts and knows the land motive behind the killing of his father, and that even this court finds nothing is related land dispute, the prosecution has proved its case beyond doubt.

Finally, Mr. Byamungu prayed to this court to find the accused guilty of the murder of the deceased, and let minor discrepancies of injuries in the hand of the accused in one hand and distance between PW5 and the scene of the event on the other. In order to substantiate his claim, Mr. Byamungu cited the authority in **Al-Jabir Juma Mwakyoma v. Republic**, Criminal Appeal No. 463 of 2018 on clear circumstances of commission of offences by accused persons.

On my part, I think this court was invited to determine two (2) important issues, namely: first, whether PW5 correctly identified or recognized accused at the scene of the crime; and second whether the accused was insane at the time of the commission of the offence. I am aware there could be a third issue on contradictions and discrepancies on various matters produced by witnesses such as: whether the accused was found with injuries or not after the commission of the event; whether the fence between PW5's farm and the deceased's farm was high or low; distance between the PW5 farm and neighboring houses; and the distance between the farms and main road.

However, the matters are obvious minor as they do not go to the root of the case as to whether PW5 correctly identified or recognized the accused, and whether the deceased was insane at the commission of the offence. There is large family of precedents on the subject (see: **Abdallah Rajabu Waziri v. Republic**, Criminal Appeal No. 116 of 2004; **Dikson Elia Nsamba Shapwata & Another v. Republic**, Criminal Appeal Case No. 92 of 2007; and **Chrizant John v. Republic**, Criminal Appeal No. 313 of 2015). In the mostly celebrated case on the subject, **Dikson Elia Nsamba Shapwata & Another v. Republic** (supra), the Court of

Appeal (the Court), had rendered down a standard criteria in evaluating whether the discrepancies are minor or major:

> *In evaluating discrepancies, contradictions and omissions, it is undesirable for a court to pick out sentences and consider them in isolation from the rest of the statements. The court has to decide* ***whether the discrepancies and contradictions are only minor or whether they go to the root of the matter.***
>
> (Emphasis supplied).

The practice was echoed by the Court again in the precedent of **Chrizant John v. Republic** (supra). The court at page 18 observed that:

> *We wish to state the general view that contradictions by any particular witness or among witnesses cannot be escaped or avoided in any particular case. However, in considering the nature, number and impact of contradictions, it must always be remembered that witnesses do not always make a blow by blow mental recording of an incident. As such, contradictions should not be evaluated without*

placing them in their proper context in an endeavor to determine their gravity, meaning whether or not they go to the root of the matter or rather corrode the credibility of a party's case.

In my considered opinion, the present cited contradictions by the defence are minor and do not go to the root of the matter, in considering the circumstances of the present case, I would not be detained on the subject. Similarly, I will not be detained on the motive leading to the attack of the deceased, as it is obvious motive is not part of *mens rea* or *actus reus* in establishing criminal liability to accused persons. In any case, there were no any materials registered to substantiate the allegation of PW1 as against the accused.

Equally, I will not be detained in determining the complaint on absence of documentary evidence to ascertain death of the deceased. Practice of the Court and this court shows that death can be proved by other factors or materials registered by witness in cases. There is a bunch of precedents on the subject since 1970s (see: **Leonard Nkoma v. Republic** (supra); **Herman Faida v. Republic**, Criminal Appeal No. 479; **Ghati Mwita v. Republic**, Criminal Appeal No. 240; and **Republic v. Mesanga Mwita**,

Criminal Session Case No. 103 of 2021). In the present case, the materials registered by all prosecution witnesses displayed that the accused actually died from unnatural death.

The question who had killed the deceased remained unresolved. The Republic has brought in this case PW5, who had testified that he saw the accused killing the deceased. However, his evidence was contested as he testified to have identified or recognized the deceased from the back. The law regulating identification or recognition of accused persons, as per courts in East Africa and England is that: *it is trite law that before basing a conviction solely on evidence of visual identification, such evidence must remove all possibilities of mistaken identity and the court must be fully satisfied that the evidence is watertight.*

There is a bundle of precedents favoring the preposition (see: **R v. Eria Senwato** [1960] E.A. 174; **Waziri Amani v. Republic** [1980] TLR 250; **Shiku Salehe v. Republic** [1987] TLR 193; and **Republic v. Kamhanda Joseph @ Abel & Five Other**, Criminal Sessions Case No. 46 of 2018; **Republic v. Juma Madunda & Another**, Criminal Sessions Case No. 6 of 2017). It is from the practice, the Court had observed, at page 251-252 of the precedent in **Waziri Amani v. Republic** (supra), that:

...evidence of visual identification, as Courts of in East Africa and England have warned in a number of cases, is of the weakest kind and most unreliable. It follows, therefore that no court should act on evidence of visual identification unless all possibilities of mistaken identity are eliminated and the court is fully satisfied that the evidence before it is absolutely watertight.

In determining the criteria, the court stated:

Although no hard and fast rules can be laid down as to the manner a trial judge should determine questions of identity, it seems clear to us that he could not be said to have properly resolved the issue unless there is shown on the record a careful and considered analysis of all the surrounding circumstances of the crime being tried. We would, for example, expect, to find in the record questions such as the following posed and resolved by him: the time the witness had the accused under observation; the distance at which he observed him; the conditions in which such observation occurred for

instance, whether it was day or night-time whether there was good or poor light at the scene; and further whether the witness know or had seen the accused before or not.

The issue therefore before this court is whether the evidence registered by PW5 is absolutely watertight. In order to determine that, the Court has put in place four (4) important criteria, namely: first, the amount of time the identifying witness had the accused person under observation; second, the distance under which he observed him; whether it was noon or night hours; and finally, whether the witness knew the accused before.

In the present case, PW5 knew the accused for more than ten (10) years as he was born and raised at Kiongera Village where the accused was living with his family and clan members. He saw him in a distance of ten (10) human paces in morning time of 09:00hours and took sometimes witnessing the event to the extent that he was frightened by the instance and escaped in search of intervention. I am satisfied that the present case meets the requirement of visual identification as directed by the precedent in **Waziri Amani v. Republic** (supra). In the present case, there is even recognition of the accused by PW5 as in one

of its evidences, apart from knowing the accused as a Village, PW5 testified that the accused owned a shop in the Village and he normally used to buy items from the shop. This is a very crucial evidence in recognizing and must be considered in the present case. According to the Court, recognition may be more reliable than identification of a stranger (see: **Shamir John v. Republic**, Criminal Appeal No. 166 of 2004; **Frank Joseph Sengerema v. Republic**, Criminal Appeal No. 378 of 2015; and **Republic v. Juma Madunda & Another** (supra).

I am aware of the caution put in place by the Court and this court on mistakes in recognition of close relatives and friends that are sometimes made by witnesses purporting to recognize accused persons (see: **Shamir John v. Republic** (supra); **Barton Mnyalunje v. Republic,** Criminal Appeal No. 140 of 1999; **Nuhu Selemani v. Republic** [1984] TLR 93; and **Republic v. Juma Madunda & Another** (supra). However, in the present case, PW5 mentioned the accused at his neighbor in the earliest opportunity without any delay, on the same day delay, 17th day of May 2019, and within few minutes after witnessing the attacks. The practice of the Court of Appeal shows that: *the ability of a witness to name a suspect at the earliest opportunity is in all important*

assurance of his reliability (see: **Marwa Wangiti Mwita & Another v. Republic** (supra). In my considered opinion, PW5 is credible and reliable witness and must be trusted, unless there are good materials to faults him (see: **Goodluck Kyando v. Republic** [2006] TLR 363).

In any case, in the present case there are materials from other prosecution witnesses which form nexus on the occurrence of the killing event and strange conduct of the accused at the scene of the crime, which human mind cannot comprehend without further explanation. The event of bare-chest appearance of the accused at the scene of the crime and deceased's residence shocked the conscience of other villagers and the police.

I am quietly aware that the accused registered the defence of insanity and claimed that he got a motorcycle accident with iron bar penetrating in his left side of head skull to cause fracas in his mind. To persuade this court in the course, he produced exhibit D.1. The law regulating the defence of insanity requires the accused to establish his allegation by tendering exhibits, as the onus of proof lies on him (see: **Francis Siza Rwambo v. Republic** (supra); **Agnes Doris Liundi v. Republic** [1980] TLR 46;

and **Majuto Samson v. Republic**, Criminal Appeal No. 61 of 2002).

In the present case two materials admitted in Attachment *A* and exhibit D.1. Attachment *A* from Isanga Institution shows: *He was not suffering from any mental disorder, and was therefore SANE during the time probably committed the alleged crime.* Exhibit D.1 on the other hand shows that Mbijiwe Diagnostics Centre on 2nd March 2017 found that:

> *Subcortical hemorrhagic confusions are seen in the left frontal lobe with moderate surrounding edema mild generalizes brain edema present. A 4.5 by 0.6 cm epidural hematoma is also seen in the left parieto-occipital region.* ***The posterior fossa structures including the brain stem and celebellum do not show any abnormality****. The ventricular system, cisternal & sulcal spaces are normal. Occipital scalp swelling is noted. The base of skull and bony calvarium are intact. The visualized para-nasal sinuses, mastoid air cells and orbits are normal.*
>
> (Emphasis supplied).

I am conversant that D.1 was not read before the court to appreciate its contents, but the accused testified he suffered mental disorder. It is unfortunate that exhibit D.1 was prepared before the occurrence of the event, and Isanga Institution is silent, in Attachment *A*, on whether it has seen it, considered and determined the contents of exhibit D.1.

However, the law as it stands provides that the court may admit medical reports as evidence and not bound to accept a medical expert's opinions, unless there are good reasons. There are multiple judgments on the subject (see: **Nyinge Suwata v. Republic** [1959] E.A 974; **Hilda Abel v. Republic** [1993] TLR 246; **DPP v. Omari Jabili** [1998] TLR 151 and **Enock Yasin v. Republic**, Criminal Appeal No. 12 of 2012; and **Francis Siza Rwambo v. Republic** (supra).

In the present case there are reasons to fault exhibit D.1 as it was not read before the court and in any case, there are English words which can be read and appreciated by any reasonable man. It is recorded that: *the brain stem and cerebellum do not show any abnormality*. The statement is supported by prosecution witness PW1 and PW2 that after the accident, the accused had returned to his normal activities,

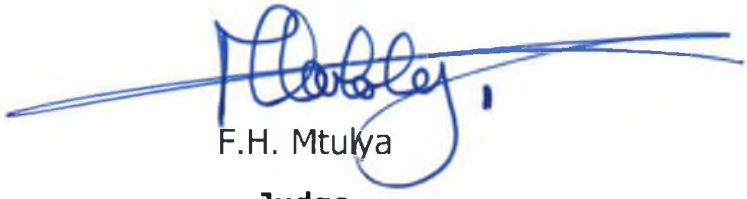
including driving passengers' vehicle from Kiongera Village to Tarime Centre, without any record of attacking any human person.

The accused had also acted in a very strange way at the crime scene, deceased's residence and during the hearing of the present case. At the crime scene and deceased's residence, he appeared bare-chested and no reasons were registered to show that strange behavior during the death of his father. During the hearing of this case, at all stages of hearing, he escaped replies from questions related to the deceased's death. During examination in chief, cross examination and court's inquiry, the accused produced consistency evidence and fine historical background in details account, but declined to reply or escaped questions on the events of 17th May 2019 or where-about his deceased father.

As indicated in this judgment, there are no any other events recorded in his home village or in this court showing strange behaviours or attacking other human person. There is no course to substantiate the accused was insane during the commission of the crime as per requirement of the law in the precedents of **Tarino v. Republic** [1957] E.A 553, **MT. 81071 PTE Yusuph Haji**

@ **Hussein v. Republic**, Criminal Appeal No. 168 of 2015, and **Francis Siza Rwambo v. Republic** (supra).

Considered the materials registered in the present case, I am convinced that the prosecution has established its case beyond reasonable doubt as per requirement of the law in section 3 (2) (a) of the **Evidence Act** [Cap. 6 R.E. 2019] and precedent in **Said Hemed v. Republic** [1987] TLR 117, **Mohamed Matula v. Republic** [1995] TLR 3, and **Horombo Elikaria v. Republic,** Criminal Appeal No. 50 of 2005. I therefore hold the accused, Mr. Muhiri Nyankaira Nyankaira, responsible for the murder of the deceased, Mr. Nyankaira Nyankaira occurred in morning hours of 17th day of May 2019 at Kiongera Village within Tarime District in Mara Region. In the end, I convict the accused, Mr. Muhiri Nyankaira Nyankaira, for the offence of murder contrary to section 196 of the **Penal Code** [Cap. 16 R.E. 2019]



F.H. Mtulya

Judge

27.09.2022

MITIGATIONS

Otaigo: My Lord, this court may consider the following when sentencing the accused person:

1. The health status of the accused person. He has mental problem caused by motorcycle's accident;
2. My Lord, this is a first offender;
3. The accused has a wife and five (5) children who depend on him;
4. The accused was arrested on 15th July 2017 and was in prison custody since then, which is more than four (4) years; and
5. The accused is young person and this Nation may benefit from him.

My Lord, that is all My Lord.

F. H. Mtulya

Judge

27.09.2022

Accused Person: My Lord, I got accident and you may consider that. I have driven taxi since 2014 without any accident or any other problem. This is bad luck. I pray this court to release me. They said on driving vehicles after the accident, but that is not correct My Lord. I have nothing to add My Lord. I pray for your lenience My Lord.

F. H. Mtulya

Judge

27.09.2022

Court: I heard the mitigations raised by the Defence Attorney, Ms. Pilly Otaigo and the accused person. However, my hands are tied under section 197 of the **Penal Code** [Cap. 16 R.E 2019]. Having said so, I sentence the accused person, Mr. Muhiri Nyankaira Nyankaira, to death under section 197 of the Penal Code, which shall be suffered by hanging.

Ordered accordingly.

Right of Appeal explained.

F. H. Mtulya

Judge

27.9.2022

This sentence was pronounced in the open court in the presence of the accused person, **Mr. Muhiri Nyankaira Nyankaira** and his learned Defence Attorney, **Ms. Pilly Otaigo** and in the presence of **Mr. Nimrod Byamungu**, learned State Attorney, for the Republic.

F. H. Mtulya

Judge

27.9.2022