

**IN THE HIGH COURT OF THE UNITED REPUBLIC OF TANZANIA**

**(KIGOMA SUB-REGISTRY)**

**AT KIGOMA**

**MISCELLANEOUS CRIMINAL APPLICATION NO. 5494 OF 2024**

(C/O Arising from Economic Crimes Case No. 3193 of 2023 in the District Court of  
Kigoma at Kigoma)

**AMRI S/O KOMBO @ ANZURUNI ..... 1<sup>st</sup> APPLICANT**

**MUHAMADI S/O SHABANI @ ALMASI ..... 2<sup>nd</sup> APPLICANT**

**ERICK MATHIAS @ NIMBONA ..... 3<sup>rd</sup> APPLICANT**

**MORIS S/O AUGUSTINO @TAMEZA ..... 4<sup>th</sup> APPLICANT**

**RAMADHANI JAFARI @ NDABUSOMA ..... 5<sup>th</sup> APPLICANT**

**VERSUS**

**THE REPUBLIC ..... RESPONDENT**

**RULING**

Date: 15 & 15/03/2024

**NKWABI, J.:**

Under a certificate of urgency, the applicants have brought this revision application. The chamber summons is supported by the affidavit of Mr. Sadiki Alik, learned counsel. The respondent filed a counter-affidavit. The orders that are sought by the applicants are:

1. That, the honourable Court may be pleased to call for the records of the proceedings in Economic Crimes Case No. 3193/2023 pending hearing and final disposal before the District Court of Kigoma and satisfy itself as to legality of the bail conditions set by

the trial Court and determine the conditions if they are not excessive and vary the same accordingly.

2. Any other order(s) the honourable Court may deem fit and just to grant in the circumstances of the application.

At the hearing of the application, the applicants are represented by Mr. Sadiki Alik, learned counsel, while the respondent is represented by Mr. Nestory Nathanael Kuyula, learned State Attorney. The application is disposed of by way of oral submissions and I am grateful to both counsel for their submissions.

In fact, in this Court, the respondent is not objecting the application for revision during the submissions. Instead, the respondent is asking this Court to have in mind the provisions of section 36(4)(e) of the Economic and Organized Crimes Control Act, Cap. 200 R. E. 2019. Because of the stance of the respondent, which I find to be correct, I proceed to revise and vary the bail conditions that were imposed by the trial Court to the applicants and make orders as follows:

1. The applicants shall be out on bail upon each of them depositing cash money to the tune of T.shs. 19,800,000 or each of them deposit title deed of immovable property with a value equivalent to

T.shs 19,800,000, either way when multiplied by 5, the number of the accused persons in the charge sheet, is equivalent to half of the value of the trophies.


2. The applicants shall each of them have two reliable sureties who shall execute bail bond at T.shs 19,800,000 each to cover a half of the amount of the value of the trophies they are allegedly were in possession or dealing in. Each surety shall have introductory letter from local government leader(s) of their locality where they reside or from their employer if any.
3. Since the applicants ought to appear in the trial court for trial proceedings, such appearance on the fixed date shall be deemed as reporting to the authority.
4. The applicants have to surrender any travel document that they possess, if any.
5. The applicants shall not travel outside Kigoma region during the pendency of economic crimes case the subject of this application for bail, save with the permission of the learned presiding Magistrate.
6. Ascertainment of compliance with the bail conditions set hereinabove shall be conducted by the Deputy Registrar of the High Court.

In the final analysis, the application for revision is found to be merited and thus is granted as indicated hereinabove.

It is so ordered.

**DATED** at **KIGOMA** this 15<sup>th</sup> day of March, 2024.



  
J. F. NKWABI  
**JUDGE**