

IN THE HIGH COURT OF UNITED REPUBLIC OF TANZANIA
THE CORRUPTION AND ECONOMIC CRIMES DIVISION
AT DAR ES SALAAM REGISTRY

MISC. ECONOMIC CAUSE NO. 42 OF 2018

(Originating from Economic Case No. 6 of 2018
of Kisutu Resident Magistrate's Court)

FAITH GODFREY MUNZO.....APPLICANT
VERSUS
THE REPUBLIC.....RESPONDENT

RULING

07/9/2018

Korosso, J.

The application has been filed pursuant to Section 29(4)(d), 36(1) of the Economic and Organized Crime Control Act, cap.200 RE.2002. The application is via chamber summons supported by an affidavit sworn by Faith Godfrey Munzo, the applicant.

Relief sought in the application, is that this Court be pleased to grant bail to the applicant. From the affidavital evidence and oral submissions from the applicant's counsel, the applicant's health is challenging, having been injured at the time of arrest and that she has not been accorded opportunity to attend to injuries, so she seeks to be granted bail so that she can get medical attention.

The applicant also averred that she resides in Dar es Salaam and will be able to provide reliable sureties if the Court so grants her prayers for bail.

The respondents have not challenged the application, praying the Court be guided by the provisions of Section 36(5) and 36(b) of

the EOCCA, when considering conditions to impose where bail is granted to the applicant.

Having gone through the affidavits for both applicant and respondent, and considered the oral submissions by the counsels for both parties. It is imperative to start by addressing the jurisdiction of this Court to entertain the application. This fact has not been challenged by any side, and this Court is satisfied that having regard to the fact that the application is competent, being filed pursuant to proper provisions cited to move the Court, the fact that the offences the applicant faces are economic offences, and the value of the charged property is above ten million shillings, also the fact that there is a pending case at the Resident Magistrate Court of Dar es Salaam Region at Kisutu, Economic case No.6 of 2018, which is awaiting trial. That all these facts render jurisdiction on this Court to hear and determine the application.

The respondents have not objected to the applications, and the offences charged against the applicant are bailable. The role of the Court when exercising its jurisdiction to determine whether or not to grant bail, is to consider how grant of bail will interfere with matters of public interest and the availability of the applicant/accused when called upon for hearing/trial of the charges an accused faces.

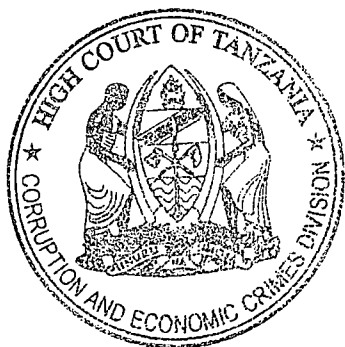
The Court has been informed that the applicant will provide reliable sureties, and has a fixed abode in Dar es Salaam.


Having considered all these factors we find no reason to refrain from granting the prayers sought. Consequently FAITH GODFREY

MUNZO is admitted to bail subsequent to fulfilment of the following conditions.

1. The applicant to deposit cash Tshs. 5,712,500/- (having considered the principle of sharing, the charge sheet alluding to three accused persons) or immovable property of equal value.
2. The applicant to provide two reliable sureties. Each surety to execute a bond of Tshs. 1,000,000/=; and to be either an employee of the Government or its institutions or possess a national identity card issued by NIDA. Each surety to provide evidence of residing within the vicinity of the Jurisdiction of this Court.
3. The applicant not to leave the area of the jurisdiction of this court without permission from the Resident magistrate, Resident Magistrate Court of Dar es Salaam Region, at Kisutu.
4. Applicant to surrender all travel documents (including a passport) it's the Resident Magistrate, RM's Courts Dar es Salaam, at Kisutu
5. Applicant to report to the Regional Crimes Officer Dar es Salaam, at a schedule to be designed by the RCO Dar es Salaam.
6. Verification of the sureties and all bond documents shall be executed by the Resident Magistrate, Resident Magistrate's Court of Dar es Salaam Region, at Kisutu.

Ordered.




Winfrida B. Korosso
Judge
7/9/2018