

RWANDA / JUDGMENT

UBUSHINJACYAHA v. HAKUZIMANA

RPAA 01358/2024/CA

COURT

Court of Appeal

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UBUSHINJACYAHA v. HAKUZIMANA

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Text

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UBUSHINJACYAHA v. HAKUZIMANA [Rwanda URUKIKO RW'UBUJURIRE – RPAA 01358/2024/CA (Mukamurenzi, P.J.) 21 Ugushyingo 2025] Amategeko agenga imiburanishirize y'imanza z'inshinjabyaha – Imvugo z'umwana wakorewe icyaha – Nta cyabuza umwana wakorewe icyaha gusobanura ibyamubayeho, urukiko rugasuzuma ireme ryabyo rubihuza n'ibindi bimenyetso biba byashatswe n'abashinzwe gukurikirana icyaha kugira ngo rumenye niba ari ukuri. Incamake y'ikibazo: Hakuzimana Patrick yakurikiranyweho n'Ubushinjacyaha icyaha cyo gusambanya umwana w'imyaka 12 uwo akaba yari murumuna w'umugore we; nyuma y'iperereza Ubushinjacyaha bumuregera Urukiko Rwisumbuye rwa Gasabo, uregwa aburana ahakana icyaha. Urwo Rukiko rwaciye urubanza rumuhanisha gufungwa imyaka 20, rushingiye ku bimenyetso bitandukanye birimo no kuba uregwa yarandikiye nyina w'umwana amusaba imbabazi. Uregwa yajuririye icyo cyemezo mu Rukiko Rukuru avuga ko yahamijwe icyaha cyo gusambanya umwana atakoze azira akagambane yakorewe n'umugore we afatanyije na nyina. Urwo Rukiko ruca urubanza rwemeza ko nta gihindutse ku mikirize y'urubanza rujuririrwa. Uregwa yongeye kujuririra mu Rukiko rw'Ubujurire avuga ko yahamijwe icyaha cyo gusambanya umwana kandi ntacyo yakoze, ko urukiko rwashingiye ku bimenyetso bishidikanywaho ndetse

bigenekereje bishingiye ku mvugo y'umwana w'imyaka 12 irimo kwivuguruza, kandi nayo itemewe nk'ikimenyetso mu gihe nta bindi biyishyigikiye, asaba kurenganurwa. Ku rundi ruhande Ubushinjacyaha buvuga ko impamvu z'ubujurire urega atanga nta shingiro zifite, kuko mu bujurire atashoboye kuvuguruza ibimenyetso byagendeweho mu nkiko zibanza ahamwa n'icyaha cyo gusambanya umwana. Buvuga ko imvugo z'umwana atari cyo kimenyetso cyonyine kuko zunganirwa n'iz'abatangabuhamya na raporo ya muganga. Incamake y'icyemezo: Nta cyabuza umwana wakorewe icyaha gusobanura ibyamubayeho, urukiko rugasuzuma ireme ryabyo rubihuza n'ibindi bimenyetso biba byashatswe n'abashinzwe gukurikirana icyaha kugira ngo rumenye niba ari ukuri. Uwakorewe icyaha ntatafatwa nk'umutangabuhamya uvugwa mu ngingo ya 49 y'Itegeko N° 027/2019 ryo ku wa 19/09/2019 ryerekeye imiburanishirize y'imanza z'inshinjabyaha nk'uko ryahinduwe, kuko iyo ngingo ivuga umwana wumviswe nk'umutangabuhamya, uvuga ibyo yabonye cyangwa yumvise ku byerekeye ikiburanwa, bitandukanye n'uvuga ibyamubayeho. Ubujurire nta shingiro gifite. Nta mategeko yashingiweho Imanza zifashishijwe:

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RPAA 0118/11/CS; Ubushinjacyaha na Ngurinzira Sylvestre rwaciwe n'Urukiko rw'Ikirenga ku wa 13/11/2015; RPAA 00336/2023/CA; Ubushinjacyaha vs Nshimiyimana Samuel rwaciwe n'Urukiko rw'Ubujurire ku wa 28/05/2025; RPAA 00754/2021/CA; Ubushinjacyaha vs Iradukunda Jean Marie Vianney rwaciwe n'Urukiko rw'Ubujurire ku wa 24/04/2023; RPAA 00323/2023/CA; Ubushinjacyaha vs Tuyambaze Donat rwaciwe n'Urukiko rw'Ubujurire ku wa 20/12/2024.

Urubanza I. IMITERERE Y'URUBANZA [1] Ku wa 27/11/2019, Hakuzimana Patrick yaketsweho gusambanya murumuna w'umugore we wari waje kubasura wahawe izina rya MMC. w'imyaka 12, akaba yarabikoze mu masaha y'ijoro amusanze aho yari aryamye. Amaze gufatwa yashyikirijwe Ubugenzacyaha, atangira gukurikiranwa. [2] Nyuma y'iperereza, Ubushinjacyaha bwareze Hakuzimana Patrick mu Rukiko Rwisumbuye rwa Gasabo icyaha cyo gusambanya umwana, aburana agihakana avuga ko bamubeshyera. [3] Mu rubanza RP 01753/2019/TGI/GSBO rwaciwe ku wa 6/01/2021, Urukiko rwemeje ko Hakuzimana Patrick ahamwa n'icyaha cyo gusambanya umwana, rushingiye ku mvugo y'umwana wahohotewe, imvugo za nyina w'umwana witwa Mukamukama Hotiriya, kuri raporo ya muganga ivuga ko MMC nta karangabusugi afite, kuri raporo yakozwe n'Umuyobozi w'umudugudu yo ku wa 28/11/2019, no kuba uregwa yarandikiye nyina w'umwana ubutumwa amusaba imbabazi, rumuhanisha gufungwa imyaka 20. [4] Hakuzimana Patrick yajuririye urwo rubanza mu Rukiko Rukuru, avuga ko yahamijwe icyaha cyo gusambanya umwana atakoze azira akagambane yakorewe n'umugore we afatanyije na nyina. Uhagarariye Ubushinjacyaha yavuze ko ubujurire bwe butahabwa ishingiro kuko hari ibimenyetso bihagije bigaragaza ko Hakuzimana yakoze icyaha cyo gusambanya umwana. [5] Mu rubanza RPA 00119/2021/HC/KIG rwaciwe ku wa 13/11/2024, Urukiko Rukuru rwasanze Hakuzimana Patrick ntashingiro bufite kuko atashoboye kuvuguruza ibimenyetso byashingiweho ahamwa n'icyaha, rwemeza ko imikirize y'urubanza RP 01753/2019/TGI/GSBO rwo ku wa 6/1/2021 idahindutse, ko igifungo cy'imyaka 20 yahanishijwe kigumyeho. [6] Hakuzimana Patrick yajuririye imikirize y'urubanza mu Rukiko rw'Ubujurire, urubanza ruhabwa RPAA 01358/2024/

CA, iburanisha ribera mu ruhame ku wa 11/11/2025, Hakuzimana Patrick yitabye yunganiwe na Me Musasangohe Illuminée naho Ubushinjacyaha buhagarariwe na Uwizeye Jean Marie, Umushinjacyaha ku rwego rw'Igihugu. [7] Mu myanzuro y'ubujurire no mu miburanire ye, Hakuzimana Patrick n'umwunganira bavuga ko yajuriye asaba kurenganurwa ngo kuko yahamijwe icyaha cyo gusambanya umwana

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kandi ntacyo yakoze, ko urukiko rwashingiye ku bimenyetso bishidikanywaho ndetse bigenekereje bishingiye ku mvugo y'umwana w'imyaka 12 irimo kwivuguruza, kandi nayo itemewe nk'ikimenyetso mu gihe nta bindi biyishyigikiye. [8] Uhagarariye Ubushinjacyaha avuga ko impamvu Hakuzimana Patrick n'umwunganira bashingiyeho bajurira nta shingiro zifite, kuko mu bujurire batashoboye kuvuguruza ibimenyetso byagendeweho mu nkiko zibanza ahamwa n'icyaha cyo gusambanya umwana. [9] Mu rubanza harasuzumwa ikibazo cyo kumenya niba Hakuzimana Patrick yarahamijwe icyaha hashingiwe ku bimenyetso bigenekereje kandi bishidikanywaho. II. ISESENGURA RY'IKIBAZO KIGIZE URUBANZA Kumenya niba Hakuzimana Patrick yarahamijwe icyaha hashingiwe ku bimenyetso bigenekereje kandi bishidikanywaho [10] Hakuzimana Patrick n'umwunganira avuga asaba kurenganurwa kuko yahamijwe icyaha cyo gusambanya umwana ntacyo yakoze, hashingiwe ku bimenyetso bigenekereje kandi bitera gushidikanya. Basobanura ko atari gusambanya umwana ngo mu gitsina cye hazemo umwobo kandi nta maraso yavuye mu gihe umwana abazwa yavuze ko bwari ubwa mbere, ko bitanumvikana ukuntu yari gusambanya uwo mwana asinziriye yakanguka akajya gutabaza mukuru we, maze we agasigara yicaye aho yamusambanyirije. [11] Bakomeza bavuga ko raporo ya muganga wasuzumye umwana ku wa 11/12/2019 itagombaga gushingirwaho kuko yakozwe itinze kuko itariki yakoreweho n'itariki bivugwa ko yasambanyirijweho ku wa 27/11/2019, usanga hari hamaze gucamo igihe kigera ku minsi 14 yose, ko kandi kuba umuganga yarasanze umwana adafite akarangabusugi, atari igitangaza kuko hari abavuka batagafite cyangwa kakivanaho mu bwana ariko ntibabimenye, uretse ko n'umuganga atagaragaje ko aribwo kari kakivaho, ndetse hakaba hataragaragajwe ko ari we wagakuyeho. [12] Banavuga ko imvugo z'umwana zitagombaga gushingirwaho zitunganiwe n'ibindi bimenyetso kuko raporo ya muganga yari kuzishyigikira yakozwe itinze kandi nta wundi muntu uvuga ko yamubonye amusambanya, kuko n'ibyo abatangabuhamya bahamije ari ibyo babwiwe n'umwana, ndetse n'uwakoze raporo y'ubuyobozi bw'umudugudu akaba atari aho umwana bivugwa ko yasambanyirijwe, byumvikanisha ko amakuru ayikubiyemo ashingiyeye ku magambo y'uwayisabye. [13] Bavuga kandi ko basanga umugore we ariwe wakoze akagambane ko kumuhimbira icyaha ashaka kumurira amafaranga yari yaratse muri banki kuko ari we wahoraga amuhatira kuyaka, kandi yafunzwe ayo mafaranga yaraye ageze kuri konti, ko n'ubutumwa bivugwa ko yohereje nyirabukwe witwa Mukamukama Hotiriya amusaba imbabazi atari we wabwanditse kandi ko atabwemera, ko butari no kuba ikimenyetso kuko uburyo bwashatswemo budakurikije amategeko arebana n'igenzura ry'itumanaho. [14] Uhagarariye Ubushinjacyaha avuga ko impamvu Hakuzimana Patrick yashingiyeho ajurira nta shingiro zifite, kuko mu bujurire bwe ntacyo agaragaza kivuguruza ibimenyetso byagendeweho n'inkiko zibanza bihamya ko yakoze icyaha cyo gusambanya

umwana. Anavuga

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ko raporo ya muganga nta nenge ifite kuko umwana yagejejwe kwa muganga icyaha cyaraye kibaye, ko kuba yatangwa itize bitayitesha agaciro kuko yakorewe ku gihe kandi ko igaragaza icyo muganga yasabwe, icyabaye ariko itahise itangwa. Yongeraho kandi ko imvugo z'umwana atari cyo kimenyetso cyonyine kuko zunganirwa n'iz'abatangabuhamya na raporo ya muganga. [15] Asoza avuga ko igihano cy'igifungo cy'imyaka 20, Hakuzimana Patrick yahawe ari cyo cyagumaho kuko impamvu yatanze ajurira zitavuguruza ibimenyetso byagendeweho bihamya ko yakoze icyaha yarezwe cyo gusambanya umwana. UKO URUKIKO RUBIBONA [16] Impaka ziri mu rubanza zishingiye ku kumenya niba imvugo z'umwana w'imyaka 12, imvugo za nyina na raporo y'umudugudu bitari gushingirwaho kuko bishingiye ku mvugo z'umwana zitunganiwe n'ibindi bimenyetso, kubera ko raporo ya muganga yari kubunganganira yakozwe hashize iminsi icyaha Hakuzimana Parick aregwa kibaye. [17] Ibyerekeye ibimenyetso mu manza nshinjabyaha, byatanzweho umurongo mu rubanza RPAA 00692/2021/CA rwaciwe n'Urukiko rw'Ubujurire ku wa 20/01/2023, haburana Ubushinjacyaha na Ndayishimiye Jean Damascène. Muri urwo rubanza, Urukiko rw'Ubujurire rwasobanuye ko mu manza nshinjabyaha, ibimenyetso byose, iyo byagiweho impaka bishobora gushingirwaho mu kwemeza ko uregwa yakoze icyaha (principe de la liberté de la preuve en matière pénale) kandi ibyo ibimenyetso bishobora no kuba imvugo z'abatangabuhamya, urukiko rukaba arirwo rusuzuma niba ibyo bavuga byakwemerwa cyangwa ntibyemerwe. Uyu murongo wagendeweho no mu zindi manza zaciwe n'uru Rukiko, mu ziheruka harimo n'urubanza RPAA 00411/2023/CA, rwaciwe n'Urukiko rw'Ubujurire ku wa 28/05/2025, Ubushinjacyaha buburana na Semugeshe Emmanuel. [18] Mu rubanza RPAA 0118/11/CS rwaciwe ku wa 13/11/2015 haburana Ubushinjacyaha na Ngurinzira Sylvestre, Urukiko rw'Ikirenga rwasobanuye ko ntacyabuza imvugo ya nyina w'umwana cyangwa iy'umwana kuba yashingirwaho mu ica ry'urubanza, kuko ntaho amategako abuza ko umubyeyi w'umwana wahohotewe yatanga ubuhamya ku byabaye¹. Umurongo wakurikijwe mu manza zitandukanye zaciwe n'uru Rukiko mu ziheruka harimo n'urubanza RPAA 00336/2023/CA rwaciwe ku wa 28/05/2025 haburana Ubushinjacyaha na Nshimiyimana Samuel. [19] Ibyerekeye imvugo z'umwana wakorewe icyaha, nabyo byasesenguwe n'Urukiko rw'Ubujurire mu manza zirimo urubanza RPAA 00754/2021/CA rwaciwe ku wa 24/04/2023, haburana Ubushinjacyaha na Iradukunda Jean Marie Vianney n'urubanza RPAA 00323/2023/CA rwaciwe ku wa 20/12/2024 haburana Ubushinjacyaha na Tuyambaze Donat². Muri izo manza Urukiko rw'ubujurire rwasobanuye ko nta cyabuza umwana uwakorewe icyaha gusobanura ibyamubayeho, urukiko rugasuzuma ireme ryabyo rubihuza n'ibindi bimenyetso biba byashatswe n'abashinzwe gukurikirana icyaha kugira ngo rumenye niba ari ukuri, kandi ko uwakorewe icyaha atafatwa nk'umutangabuhamya uvugwa mu ngingo ya 49 y'Itegeko N° 027/2019 ryo ku wa 19/09/2019 ryerekeye imiburanishirize y'imanza z'inshinjabyaha nk'uko ryahinduwe, kuko iyo

1 Reba igika cya 14 cy'urwo rubanza. 2 Reba igika cya 23 cy'urwo rubanza.

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ningingo ivuga umwana wumviswe nk'umutangabuhamya, uvuga ibyo yabonye cyangwa yumvise ku byerekeye ikiburanwa, bitandukanye n'uvuga ibyamubayeho. [20] Nk'uko bigaragara mu gika cya 20 cy'Urubanza rujuririrwa, Urukiko Rukuru rwemeje ko ibimenyetso bigizwe n'ubutumwa Hakuzimana Patrick yandikiye nyirabukwe amusaba imbabazi, imvugo yo mu Bugenzacyaha y'umwana wavuze ko Hakuzimana Patrick yamusanze aho yari aryamye yumva amuri hejuru, akangukira hejuru, asanga yamukuyemo ikariso yamuzamuye akaguru amuri hagati y'amaguru, ahita amuvaho yicara mu mirambizo, no kuba umwana yarahise abibwira mukuru we bugacya amutegera imodoka agataha, byose bihuriye hamwe bihagije kwemeza ko Hakuzimana yakozwe icyaha aregwa cyo gusambanya umwana. [21] Mu gika cya 21 cy'urubanza rujuririrwa, Urukiko Rukuru rwasobanuye ko kuba Hakuzimana avuga ko kuberekeye imikorere y'icyaha harimo kwivuguruzwa nta shingiro bifite, kuko imvugo fatizo ari iy'umwana wakorewe icyaha kandi ibyo yasobanuye yamukoreye bigize icyaha cyo gusambanya umwana, ko kuba anenga raporo ya muganga avuga ko itagaragaje ko yamusambanyije nta shingiro bifite kuko umwana yabyivugiye kandi nawe abisabira imbabazi hakaba ntaho umuganga yanditse ko umwana atasambanyijwe. [22] Muri dosiye harimo imvungo zo mu Bugenzacyaha z'umwana MMC, wavuze ko ku itariki ya 27/11/2019 mu masaha ya saa sita z'ijoro Hakuzimana Patrick yamusambanyije amusanze mu cyumba yari yaryamye ubwo yari yaje gusura uwo muryango, ko yamwumvise amuri hejuru arimo amusambanya ahita akanguka asanga yamukuyemo ikariso amuri hagati y'amaguru, undi amuvaho yicara mu mirambizo y'uburiri. Umwana yanavuze ko yahise ajya kubibwira mukuru we wasanze umugabo we akicaye mu cyumba, amubaza icyo ahakora amusubiza ko ntacyo yakozwe, bukeye mukuru we abibwira nyina, baramutegera asubira iwabo i Gitwe ahageze nyina amujyana kwa muganga. [23] Mukamukama Hotiriya nyina w'umwana wahohotewe, akanaba nyirabukwe wa Hakuzimana Patrick, abazwa mu Bugenzacyaha yasobanuye ko bukeye umukobwa we yamuhamagaye amubwira ko umugabo we yaraye asambanyije MMC, anamusobanurira ko yamusambanyije ninjoro amusanze mu cyumba aho yari aryamye, maze amusaba kumutegera agataha iwabo mu karere ka Nyanza; amaze kumugeraho abaza umwana niba byabaye, umwana arabimwemerera, amujyana kwa muganga nabo bamubwira ko umwana yasambanyijwe. Yanavuze ko ibyo bimaze kuba Hakuzimana Patrick yamwandikiye message amusaba imbabazi, ngo ni dayimoni yabimuteye, ko yashatse no kujya kwiyahura abantu bakamubuza. [24] Hakuzimana Patrick abazwa mu Bugenzacyaha yahakanye ibyo gusambanya umwana, ariko yemera ko yandikiye nyirabukwe ubutumwa, avuga ko atasabaga imbabazi z'uko yasambanyije umwana, ko ahubwo yanditse amusaba imbabazi z'uko umugore we yari amumereye nabi ntagire icyo abikoraho, ko impamvu yanditse avugako azicuza ubuzima bwe bwose, ndetse akavuga ko aziyahura byaterwaga n'uburyo yari abanyemo n'umugore we. [25] Muri dosiye harimo kandi raporo yakozwe n'Umuyobozi w'Umudugudu wa Muhozi yo ku wa 28/11/2019 igaragaza ko mu mudugudu ayobora habayeho ikibazo cy'ihohotera ryakorewe umwana.

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[26] Urukiko rurasanga ibyo Hakuzimana Patrick n'umwunganira bavuga ko ubuhamya bwa MMC w'imyaka 12 butagomba gushingirwaho butunganiwe n'ibindi bimenyetso nta shingiro bifite, kuko, uretse n'uko MMC ari uwakorewe icyaha, atafatwa nk'umwana utanga ubuhamya bw'ibyo yabonye cyangwa yumvise nk'uko byasobanuwe mu rubanza RPAA 00754/2021/CA rwavuze haruguru, Urukiko Rukuru ntirwazishingiye ku mvugo ze zonyine. Nk'uko byagaragajwe haruguru muri dosiye harimo ibindi bimenyetso birimo imvugo za nyina w'umwana Mukamukama Hotiriya wasobanuye ibyo yambwiwe ku byerekeye isambanywa ry'umwana we, akanavuga ko bimaze kuba Hakuzimana Patrick yamwandikiye ubutumwa (message) amusaba imbabazi amubwira ko ari dayimoni yabimuteye, ko yari agiye no kwiyahura abantu bakamubuza, Hakuzimana Patrick nawe abazwa akaba yaremeye ko yamwandikiye, hakaba hari na raporo y'ubuyobozi bw'umudugudu wa Muhozi. [27] Urukiko rurasanga ibyo Hakuzimana Patrick avuga ko atigeze yandikira nyirabukwe amusaba imbabazi, n'uko iyo message atari n'ikimenyetso kuko cyashatswe mu buryo bunyuranyije n'amategeko nta shingiro bifite, kuko nk'uko inyandikomvugo ya Mukamukama Hotiriya nyirabukwe, akanaba nyina w'umwana MMC ibigaragaza, niwe wavuze ko Hakuzimana Patrick yamwoherereje ubutumwa amusaba imbabazi, avuga ko ari dayimoni yabimuteye. Kuba rero avuga gusa ko atabyemera, ko atari nawe wabyanditse bikaba bitatesha agaciro icyo kimenyetso kigaragaza ko yasabye imbabazi nyirabukwe z'ibyo yari yakoze, kuko na Hakuzimana Patrick abazwa mu Bugenzacyaha yemeye ko yamwandikiye, uretse ko yavugagaga ko yamusabaga imbabazi ku makimbirane yari afitanye n'umugore we atagiraga icyo akoraho, nyamara ibyo bikaba bitari gutuma ari we wandika asaba imbabazi. [28] Urukiko rw'Ubujurire rurasanga n'ibyo bavuga ko raporo yakozwe n'Umuyobozi w'Umudugudu wa Muhozi yo ku wa 28/11/2019, itagombaga gushingirwaho kuko ishingiyeye ku mvugo z'umwana, nabyo nta shingiro bifite, kuko yakozwe ku kibazo cy'ihohotera umuyobozi w'umudugudu yari agejejweho na Niyonagira Marcelline umugore wa Hakuzimana Patrick ariwe wagiye kuvuga ko murumuna we MMC yaraye asambanyijwe n'umugabo we, anasobanura uko byagenze. [29] Ku byerekeye inenge z'uko raporo ya muganga yakozwe hashize iminsi 14 icyaha gikozwe no kuba itagaragaza ko ari Hakuzimana Patrick wasambanyije umwana bigatuma atakaza akarangabusugi, Urukiko rw'Ubujurire rusanga izo nenge zitatesha agaciro ibindi bimenyetso byashingiweho byavuzwe haruguru, kuko nk'uko byasobanuwe mu rubanza RPAA 00433/2022/CA rwaciwe n'Urukiko rw'Ubujurire ku wa 22/01/2024, Ubushinjacyaha buburana na Ayingeneye Butsuri François, raporo ya muganga ni ikimenyetso mu bindi gisuzumirwa hamwe n'ibindi, kikaba atari ikimenyetso kamara, mu gihe umwana w'imyaka 12 wasambanyijwe yasobanuye ibyabaye, ndetse na Hakuzimana Patrick yandikira nyirabukwe ubutumwa amusaba imbabazi z'ibyo yakoze. [30] Urukiko rw'ubujurire rurasanga ibyo Hakuzimana Patrick avuga ko yagambaniwe n'umugore we na nyirabukwe nta shingiro bifite, kuko yaranzwe n'imvugo zivuguruzanya, aho abazwa mu Bugenzacyaha yavuze ko yabeshyewe n'umugore we kubera akagambane gaturuka ku kuba batari babanye neza; ageze mu Bushinjacyaha avuga ko amakimbirane yari afitanye n'umugore we arebana n'uko yari afite umwana yabyaye ahandi

kandi ko yamushatse atabizi, bakaba bapfa ko yanze kumwishyurira amafaranga y'ishuri, nyamara aburana muri uru Rukiko yongeye kwivuguruza avuga ko yahimbiwe icyaha n'umugore we kubera ko hari hashize iminsi

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yatse amafaranga muri banki amukorera akagambane kubera yafunzwe amafaranga yaraye ageze kuri konti; uku kugenda yivuguruza ku bijyanye n'impamvu avuga yo kumuhimbira icyaha bigamije gushaka guhunga icyaha, bityo ibyo avuga bikaba nta shingiro bifite. [31] Hashingiwe ku bimaze gusobanurwa, Urukiko rw'Ubujurire rurasanga ubujurire bwa Hakuzimana Patrick nta shingiro bufite, kuko nta kimenyetso yatanze kivuguruza ibimenyetso byashingiweho n'Urukiko Rukuru, mu kwemeza ko ahamwa n'icyaha cyo gusambanya umwana. [32] Ku bw'ibyo, urubanza rwajuririwe rukaba rugumanye agaciro karwo, kubera ko uru Rukiko rusanga n'igihano yahawe cy'imyaka makumyabiri (20) gihwanye n'uburemere bw'icyaha yakoze cyo gusambanya murumuna w'umugore we ufite imyaka 12 y'amavuko ari umugabo mukuru ufite imyaka 27. III. ICYEMEZO CY'URUKIKO [33] Rwemeje ko ubujurire bwa Hakuzimana Patrick nta shingiro bufite; [34] Rwemeje ko imikirize y'urubanza RPA 00119/2021/HC/KIG, rwaciwe n'Urukiko Rukuru, kuwa 13/11/2024 idahindutse mu ngingo zarwo zose; [35] Rwemeje ko igihano cy'igifungo cy'imyaka makumyabiri (20) Hakuzimana Patrick yahanishijwe kigumyeho; [36] Ruvuze ko Hakuzimana Patrick asonewe amagarama y'urubanza kuko aburana afunze.

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