

TANZANIA / JUDGMENT

DANIEL DINDA

COURT
TANZLIIDECIDED
12 December 2024

Source: media.tanzlii.org · Research copy typeset by Esheria. Not court-issued or certified.

THE UNITED REPUBLIC OF TANZANIA (JUDICIARY) THE HIGH COURT (MUSOMA SUB-REGISTRY AT TARIME] ORIGINAL JURISDICTION CRIMINAL SESSION CASE No. 31608 OF 2023 (Referenced: 202411062000031608) THE REPUBLIC Versus DANIEL PHILIMON DINDA

RULING

12.12.2024 & 16.12.2024 Mtulya,J.: The instant case, Criminal Sessions Case No. 31608 of 2024 (the case) was scheduled for plea taking and preliminary hearing procedures on 12th day of December 2024. After completion of the procedures, Mr. Samson Sarno, learned counsel, who appeared for Mr. Daniel Philimon Dinda (the accused), had lodged oral application under sections 148 (1) and 392A (1) 8c (2) of the Criminal Procedure Act [Cap. 20 R.E. 2022] (the Act) praying for bail to the accused. According to him, the offence which the accused is prosecuted in this court is bailable and the accused had previously enjoyed bail in both the committing court in Rorya District and this court during preliminary hearing, without any breach of the conditions hence he displays as a trustful person to this court. The application and reasons in favor of the bail were not protested by learned State Attorney, Ms. Dotto Banga, who represented the Republic. In his opinion, the offence is bailable and the accused may be granted bail. However, she thinks that, this court may issue appropriate conditions to make the accused available when called to reply the information against him in this court. I have glanced the law regulating bail in cases, like instant one, the records of the present case and proceedings of this court in Misc. Criminal Application No. 20710 of 2024 and Criminal Sessions Case No. 18563 of 2024 and perused the record of District Court of Rorya at Rorya (the committing court) in Preliminary Inquiry Case No. 8186 of 2024 (the committal proceedings) which concerns the present accused person, and found that the accused had previously enjoyed bail at this court and committing court without breach of conditions. The accused was arraigned in this court to reply the information of Acts Intended to Cause Grievous Harm to Mr. Philimon Awiti (the victim) by cutting his chin, upper lip and nose contrary to section 222 (a) of the Penal Code [Cap. 16 R.E. 2022] (the Penal Code). The incident is allegedly to have occurred on 1st August 2023 at Marasibora Village within Rorya District in Mara Region. The offence of which the accused is prosecuted is bailable under section 148 (1), (6) & (7) of the Act and articles 13 (6) (b) & 17 (1) of the Constitution. The indicated provisions of the law have already received interpretation of this court in a bunch of precedents (see: Maruru Zabron v. Republic, Misc. Criminal 2 Application No. 24 of 2023; and Daniel Philimon Dinda v. Republic, Misc. Criminal Application No. 20710 of 2024). Having the law and

precedents on the subject, I have no any reasons to refuse the application. In the final analysis, I am moved to grant bail to the accused. However, in order for the accused to enjoy bail, he must fulfill the following conditions, namely:

1. The accused must sign bail bond of Tanzanian Shillings Three Million Only (3,000,000/=);
 2. The accused must register two (2) reliable sureties who are able to execute bail bond amounting to Tanzanian Shillings One Million Only (1,000,000/=) each and must be in possession of National Identification Card issued by the National Identification Authority (NIDA) or if he is employed in government service, he must register work identification card;
 3. The sureties must be residents of Mara Region and verify their stay in the region by presenting introduction letters from their respective hamlet or mtaa chairpersons;
 4. The accused should not leave Mara Region without prior written authorization of the Deputy Registrar of this Sub Registry or Resident Magistrate In-charge of the District Court of Rorya at Rorya;
 5. The accused must report to the Deputy Registrar of this Sub Registry or Resident Magistrate In-charge of the 3 District Court of Rorya at Rorya, once on every last Monday of every Month; and
 6. The accused must surrender his passport or any other travelling documents to the Deputy Registrar of this Sub Registry or Resident Magistrate In-charge of the District Court of Rorya at Rorya. The listed bail conditions in this Ruling shall be supervised by the Deputy Registrar of this Sub Registry or Resident Court: This Ruling was delivered in Chambers under the Seal of this court in the presence of the accused's learned counsel, Mr. Samson Sarno and in the presence of Ms. Dotto Banga, learned State Attorney for the respondent.
- Judge 16.12.2024 4

Source & reproduction note

Judgment wording, source notices and original paragraph numbers are retained. Esheria supplies the layout and this PDF's page numbers; these are not the source pagination. This is a research copy, not an official or certified court document. Check quotations, citations and publication restrictions against the original source before relying on it.

ORIGINAL SOURCE https://media.tanzlii.org/media/judgment/323713/source_file/a2eaf912d9b62587/DANIEL_DINDA.pdf

CASE PAGE <https://chat.esheria.ai/case-law/tanzania/bail-tanzlii-2024>

Prepared on 13 October 2026 · Esheria