

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

**IN THE SUB-REGISTRY OF MANYARA**

**AT BABATI**

**MISC CRIMINAL APPLICATION NO. 3253 OF 2024**

*(Originating from District Court of Babati in Economic Case No 02 of 2023)*

**MASHAKA MOHAMED NJUJU.....APPLICANT**

*VERSUS*

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

**RULING**

*8<sup>th</sup> and 19<sup>th</sup> April 2024*

**MIRINDO, J.:**

The applicant, Mashaka Mohamed Njuju, is seeking an extension of time within which to appeal to the High Court following his conviction and sentence on 11<sup>th</sup> May 2023 for unlawful possession of government trophy by the Court of Resident of Magistrate of Manyara.

In his supporting affidavit, Mashaka Mohamed Njuju, points an accusing finger at Babati Prison admission office for delaying on filing in time his notice of intention to appeal. This is so, because his first attempt to appeal failed when this Court struck out his appeal because his notice of intention to appeal was lodged out of time. His complaint is supported by a supplementary affidavit of a prisoner officer from Babati District Prison.

Mashaka Mohamed Njuju appeared in person and had nothing to add to his application. The learned State Attorney, Esther Malima, appeared for the respondent Republic and did not object to the application.

The applicant has shown good cause for extension of time and I grant him extension of time to file his notice of intention to appeal within ten days and then file his petition of appeal within forty-five days. The officer-in-charge for Babati District Prison shall process his notice of intention to appeal and petition of appeal according to law.

DATED at BABATI this 16<sup>th</sup> day of April, 2024



**F.M. MIRINDO**

**JUDGE**

**Court:** Ruling delivered this 19<sup>th</sup> day of April, 2024 in the presence of the applicant in person and Ms Esther Malima, State Attorney for the Respondent.

B/C: William Makori (RMA) present.



**F.M. MIRINDO**

**JUDGE**

**19/4/2024**