

## **Babi to remain in custody ... bail appeal dismissed**

2021-08-02 **Roland Routh**



Windhoek High Court Judge Herman January on Friday dismissed an appeal against the ruling of magistrate Linus Samunzala to release self-styled prophet Jackson Babi on bail pending his trial. Babi faces charges of possessing or dealing in two rhino horns, hunting a rhinoceros that is protected by law and possessing a hunting rifle and ammunition without a licence.

The State claims Babi and Frizans Naululu Dumeni were in possession or dealt in two rhino horns at Babi's residence in Kleine Kuppe in Windhoek between 26-27 May 2020. The alleged discovery of the horns, firearm and bullets also led to the arrest of two other suspects, Alberto Mbwale and Joseph Matheus.

It is alleged the horns are linked to the poaching of two rhinos found dead and with their horns removed in the area of Gobabis in May. According to court records, Babi has a third case in the

Gobabis Magistrate's Court, where he faces charges of illegal hunting of specially protected game in the Gobabis district alongside Mbwale and Matheus. The prosecutor general has instructed that his cases be compiled for decision.

The accused have since denied any wrongdoing during their preliminary plea on 3 March.

Babi is, however, scheduled to stand trial on bribery charges for allegedly attempting to bribe the investigating officer with N\$13 000 to be released on bail.

During the bail hearing, investigating officer Daniel Katango told the court Babi contacted his colleague who is investigating his first case, allegedly to speak about being released on bail.

On 26 June 2020, a sting operation was carried out and Babi's former co-accused Ananias was arrested with a bag containing N\$13 000 cash and two cell phones.

Upon his arrest, Ananias informed the police that he works in the church as an usher. He explained he was instructed by Babi to deliver the money to the investigating officer, but he had no idea what the money was for. He further informed the police that the money came from the congregation offerings.

However, during the bail hearing, Ananias changed his version of events and testified that he was responsible for bribing the investigating officer. He testified that he came up with the idea and the money because he wanted Babi to be set free. He assured the court that Babi had no part in the illegal dealing.

The prosecutor general decided not to prosecute Ananias for the crime due to lack of evidence.

In the bail appeal judgment, Judge January found that the magistrate was not wrong when he denied Babi, founder of the House of Joy Ministries, bail.

He concurred with Samunzala that Babi was capable of interfering with State witnesses while still behind bars and there is no determination of what he could do should he be released on bail.

Windhoek based lawyer Mbanga Siyomunji represented Babi in the appeal, while Seredine Jacobs represented the State.

*- rrouth@nepc-com.na*

2021-08-02 **Roland Routh**