

**THE REPUBLIC OF UGANDA**

**IN THE CHIEF MAGISTRATES COURT OF KASESE AT KASESE**

**KAS-OO-CR 09 OF 2021**

**UGANDA =====PROSECUTION**

**VERSUS**

**BUKUNDIKA IBRAHIM=====ACCUSED**

**BEFORE HIS WORSHIP OKUMU JUDE MUWONE  
PROCEEDINGS**

16/03/2021

Accused present

Ibrahim for state

Rauben clerk

State: matter is coming up for hearing we have one witness

PWI: a Catholic sworn and state I am UWA C/P Rukonyoho Jackson 48 years old, a resident of Wakuli head quarter for Rwenzori National games Park. I started knowing the accused at the time I arrested him my role is to contact patrol o he Rwenzori mountain National game park. I have worked for 18 years as ranger On 21/2/2021, I started my patrol on 19/2/2021 on 21/2/2021 I was on Rwenzori mountain National game park we were 3 game rangers and 2 porters one was Mageni Merdard and another was called Patrick in Rwenzori National Game Park in Mudoko areas

As we were moving after spending 2 days and 2 nights we reached in the area Katwekale area we first saw smoke. We followed the smoke to see what was there. When we were there we found the accused person called Bukundika Ibrahim we



arrested him. We searched him and we found him with a skull of wild animal called roak harals. It is wild species in Rwenzori National game and it is –species  
Accused had a panga cover of saucepan and he had collected some of rode horaks  
We asked him how he entered there. He told us that he had no permission to enter park.

We arrested the accused and continued with him up to 24/2/2021. We gave order to head come and pick him and we took the accused to Kasese police station for further interrogation. We arrested he accused 3:00pm on 21/2/2021 tha tis all I can state.

Cross exam of PWI

Accused: what the witness stated is true

Court: charge read and explained to the accused in lukonzo

Accused: court I it is true

Count: it is true

Court: plea of guilty entered on both counts

State: it is was on 21/2/2021 at 3:00hrs rangers attached to Rwenzori mountain protected area while no patrol while a camman of couple found and arrested the accused o have illegally enter the park and killed a protected animal suspected to be a local horaks. He was photographed and taken to Kasese police station.

Accused he brief fact is true

Court: the accused Bukundika Ibrahim is convinced with offence of entering wildlife protected area without permission contrary to section 30(1) and 70(a) and possession wildlife protected species contrary to section 36(a) and 70(1) (b) of Uganda wildlife Act 2019 on his own plea of guilty.

State: we shall presumed that he is first offender however offences of illegal and illegal hunting of wildlife and very common in the areas where the convict comes from. The convict lives adjacent to the protected area that means that he has chances of going back to the park and hunt bush compensation without health reports protect a serious public rodes including gnorea public diseases basing on this Covid 19 in the whole world.



I pray that this court sends the message to would be encroachers in the community by giving a custodial sentence.

**Allocutus by the convict.**

I pray for mercy I will not do it against.

**Sentence and reasoning**

The court has taken into considerations both the submissions of the state and allocutus of the convicts more especially that he is treated as first offender and pleaded guilty saving he courts time and state resources.

However, the court agrees with the submission of the state that the offences the accused person has been convicted of is rampant within this court's jurisdiction.

There is need to curb it down by way of custody deterrent sentence that can deters other from committing the same offence and help to protect these endangers wildlife species from taking delegations. For the above reasons the sentence shall run as follows

On the first count to imprisonment for one year. And on the second count to imprisonment for 1 year. These sentences shall run as consecutively one after the other

Right to appeal explained.

Dated the 16<sup>th</sup> day of March 2021

  
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**Okumu Jude Muwone**  
**Chief Magistrate-Kasese**

