

Accused:

1. Henreatta **Rushwaya**, aged 53

NR: 66-031209-C-27

Res: 1 Garlake Close, Gunhill, Harare

Bus: Zimbabwe Miners Federation (ZMF-President)

2. Stephen Chenjerai **Tserayi**, aged 45

NR: 63-912841-D-18

Res: 3084 Mapereke Rd, New Marlborough, Harare

Bus: Central Intelligence Organisation, Close Security,
Harare

3. Gift **Karanda**, aged 44

NR: 32-147613-G-32

Res: 8 Digby Close, Marlborough, Harare

Bus: Zimbabwe Miners Federation, Harare, 80 Mutare
Road, Harare

4. Ali **Mohamad**, aged 52

Pakistan passport number **AB1792357**

Res: 16 Divine Road, Belvedere, Harare

Bus: As Above

5. Raphios **Mufandauya**, aged 37

NR: 61-041793-Z-45

Res: 2295 Granary Road, White House, Harare

Bus: Central Intelligence Organisation, Robert Gabriel
Mugabe International Airport, Harare

On 26 October 2020, at around 1200 hours, information was received by detectives from CID MFFU Gabriel Mugabe International Airport to the effect that accused (1) intended to smuggle gold to Dubai through that Airport. She intended to board Fly Emirates.

The detectives identified accused (1) as she commenced check in processes and immigration formalities. The detectives immediately alerted the Civil Aviation Authority of Zimbabwe (CAAZ) scanner operators to thoroughly examine the accused (1)'s bags.

Upon scanning accused (1)'s bags, gold was detected by the scanner in her hand luggage. The bag was searched in her presence by CID MFFU detectives whilst other stakeholders at the Airport witnessed the search. Upon recovery at the airport, a total of **6.09kgs** of gold was recovered stashed in accused (1)'s personal luggage in her bag.

Accused (1) was questioned about the origin of the gold and she indicated that she obtained it from accused (4). She indicated that accused (4) is a licenced gold buyer using the name Ali Japan 786 (Private) Limited. She alleged that she had been instructed by accused (4) to deliver the gold to an unidentified person at Dubai Airport.

The accused was asked to supply export documents in respect of the gold but she failed, leading to her arrest. The recovered gold was taken to Fidelity Printers and Refiners for assaying.

On 27 October 2020, the recovered gold was assayed and it was established that it had a weight of **6095.66 grams** valued at **US\$333 042.28**.

On 27 October 2020, accused (1) appeared before Harare Magistrate Ngoni **Nduna** for initial remand. The State being represented by Charles **Muchemwa** advised the court that State had consented to granting of bail on the following conditions;

- to deposit **ZWL\$90 000-00** bail.
- to reside at the given address until matter is finalized,
- accused (1)'s passport to remain with the police as an exhibit until matter is finalized,
- to report twice a week at CID MFFU Harare on Mondays and Fridays, between 0600 and 1800 hours,
- to surrender title deeds of number 709 Crowhill Estate, Borrowdale, Harare registered in favour of Tapson S.T **Dzvetero** and
- not to interfere with State witness.

The magistrate refused to rubber stamp what the State and defence had agreed to and remanded the case to 28 October 2020 so that the State and Defence could put their submissions to justify State's consent to granting of bail to accused (1) considering the value of gold recovered and crime committed. She was remanded in custody to 28 October 2020.

On 28 October 2020, accused (1) appeared before Harare Magistrate Ngoni **Nduna** while State was represented by Garudzo **Ziyaduma** being assisted by Charles **Muchemwa**. The State made an application to withdraw the State's consent to granting of bail citing that accused (1) had fresh charges.

The State indicated that accused (1) had done the following when he was arrested;

- she offered **US\$5 000-00** bribe money to a Civil Aviation Authority official who detected the crime and to a member of the President's Department who was present.
- the accused has propensity to interfere with investigations.

The magistrate indicated that he needs time to go through the submissions and remanded the case to 30 October 2020 for ruling on the application made.

On the same day [28/10/20], accused (2), (3) and (4) were arrested in connection with accused (1)'s crime.

Accused (1) is being further charged with one (1) count of Money Laundering and two (2) counts of Bribery.

Accused (2) and (5) are being charged with Criminal abuse of duty as Public Officers as defined in Section 174[1][a][i] of The Criminal Law (Codification and Reform) Act, Chapter 9:23 on the pretext that the accused persons used their positions as members of Central Intelligence Organisation to escort accused (1)

while evading all security check points at the Airport with the intent to facilitate smuggling of the Gold.

Accused (3) is being charged for Defeating or obstructing the course of justice as defined in Section 184 (1) (e) of the Criminal Law (Codification and Reform) Act, Chapter 9:23. Facts being that well knowing that accused (1) was under arrest, he approached the security officers alleging that the Gold belonged to the First Lady and one **Collins**, a son to the First Family who was supposed to have brought it but due to other commitments had requested accused (1) to transport it on his behalf.

Accused (4) is being jointly charged for Smuggling with accused (1). The facts being that he is the source of the document which was being used to transport the Gold by accused (1).