

**IN THE COURT OF APPEAL FOR ZAMBIA**

**HOLDEN AT LUSAKA ON 19<sup>TH</sup> JANUARY, 2022 AT 09:00 HOURS**

**(APPELLATE JURISDICTION)**

- 1) The Hon. Mr. Justice C.F.R. Mchenga, Deputy Judge-President
- 2) The Hon. Mr. Justice J. Chashi
- 3) The Hon. Mr. Justice M.M. Kondolo
- 4) The Hon. Mrs. Justice C.K. Makungu
- 5) The Hon. Mrs. Justice F.M. Chishimba
- 6) The Hon. Mr. Justice D.L.Y. Sichinga
- 7) The Hon. Madam. Justice B.M. Majula
- 8) The Hon. Mrs. Justice P.C.M. Ngulube
- 9) The Hon. Mr. Justice M.J. Siavwapa
- 10) The Hon. Mrs. Justice A.M. Banda-Bobo
- 11) The Hon. Mrs. Justice A.N. Sharpe-Phiri
- 12) The Hon. Mr. Justice K. Muzenga

26 NOV 2021

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**CRIMINAL CAUSE LIST**

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**NEW CRIMINAL APPEALS BEFORE JUDGES TO BE NAMED LATER**

**1. APPEAL NO. 61/2021**

Benson Mabiza

Kabwe High Court

Original Jurisdiction.

**Vs**

12<sup>th</sup> February, 2021

**MURDER** C/S 200 CAP 87.

The People

DEATH.

Appeal against Conviction and Sentence

**2. APPEAL NO. 62/2021**

Moses Zwau

**Vs**

The People

Kabwe High Court

Original Jurisdiction.

20<sup>th</sup> November, 2020

**MURDER C/S 200 CAP 87.**

20 YEARS IHL.

Appeal against Conviction and Sentence

**3. APPEAL NO. 63/2021**

Chimba Kalunga

**Vs**

The People

Kabwe High Court

Original Jurisdiction.

2<sup>nd</sup> March, 2021

**CAUSING DEATH BY DANGEROUS  
DRIVING C/S 161 (1) ROAD**

**TRAFFIC ACT NO. 11 OF 2002.**

6 months plus Driver's Licence  
suspended for 9 months.

Appeal against Conviction and Sentence

**4. APPEAL NO. 64, 65, 66,67/2021**

Barton Nkhoma

Tapiwa Kambole

Isaac Mutema

Misheck Muluwe

**Vs**

The People

Lusaka High Court

Original Jurisdiction.

7<sup>th</sup> April, 2021.

**UNAUTHORISED POSSESSION OF  
DEFENCE FORCE UNIFORMS C/S**

**6(1)(a) OF THE STATE SECURITY  
ACT CHAPTER 111.**

20 years IHL.

Appeal against Conviction and Sentence

**5. APPEAL NO. 68/2021**

Sibani Simutondo

**Vs**

The People

Mongu High Court

Original Jurisdiction.

11<sup>th</sup> June, 2020

**MURDER** C/S 200 CAP 87.

DEATH.

Appeal against Conviction and Sentence

**6. APPEAL NO. 69, 70/2021**

Eddy Mwanza Bowwow

Daniel Nyumbu

**Vs**

The People

Mongu High Court

Original Jurisdiction.

17<sup>th</sup> April, 2019

A1 - **MURDER** C/S 200 CAP 87. DEATH

A2 - BEING AN ACCESSORY AFTER THE  
FACT TO A FELONY C/S 379(1) CAP  
87. 3 YEARS.

Appeal against Conviction and Sentence

**7. APPEAL NO. 71/2021**

Titus Chilumba

**Vs**

The People

Lusaka High Court

Original Jurisdiction.

18<sup>th</sup> January, 2021

**INCEST** C/S 159(1) CAP 87.

20 Years.

Appeal against Conviction and Sentence

**8. APPEAL NO. 72, 73, 74, 75/2021**

Kelvin Banda  
Kennedy chombela  
Boyd Mwanambaba  
Richard Nyendwa

**Vs**

The People

Lusaka High Court  
Original Jurisdiction.  
21<sup>st</sup> May, 2018.

**AGGRAVATED ROBBERY C/S 294**  
**CAP 87. 15 YEARS IHL**  
Appeal against Conviction and Sentence

**9. APPEAL NO. 76, 77, 78,79/2021**

Winford Kaluba  
Eunice Kampeni  
Rachael Chibolela Jere  
Ruby Mbewe

**Vs**

The People

Lusaka High Court  
Original Jurisdiction.  
10<sup>th</sup> July, 2017.

**LOSS AND MISUSE OF**  
**EXAMINATION PAPERS C/S 20**  
**OF THE EXAMINATION COUNCIL**  
**OF ZAMBIA ACT CHAPTER 137.**  
Fined K7,500.00 to be paid within  
30 days from 11<sup>th</sup> July, 2017. In  
default warrant of distress to be issued.  
Appeal against Sentence

**ADJOURNED CRIMINAL CASES FROM THE NOVEMBER,  
2021 SESSIONS**

**10. APPEAL NO. 02,03/2021**

Stephen Mpanda  
Brian Chiluba

**Vs**

The People

Mansa High Court  
Original Jurisdiction.  
29<sup>th</sup> October, 2020

**MURDER** C/S 200 CAP 87.

DEATH.

Appeal against Conviction and Sentence

**11. APPEAL NO. 19/2021**

Biggie Maambo

**Vs**

The People

Livingstone High Court  
Original Jurisdiction.  
10<sup>th</sup> September, 2020

**DEMANDING PROPERTY WITH  
MENACE WITH INTENT TO STEAL**

C/S 299 CAP 87.

2 YEARS IHL.

Appeal against Conviction and Sentence



MCDONALD NYONGANI  
**CLERK OF SESSION**

## **COPIES TO:**

- The Director, National Prosecutions Authority - Lusaka, Kabwe, Ndola and Kitwe
- The Director, Legal Aid Board - Lusaka, Kabwe, Ndola and Kitwe
- The Superintendent of Prisons - Lusaka, Kabwe Maximum, Ndola Kasenshi Prison and Kitwe Kamfinsa Prison
- The Court Research Advocates
- The Court Reporters
- The Assistant Registrar, Lusaka
- The Court Interpreters, Lusaka
- Notice Board, Lusaka

## **LAWYERS**

- M/S: F.B. Nanguzyambo & Associates (Appeal No. 60/2021) Kabwe
- M/S: L.M Chambers (Appeal No. 61/2021) Lusaka
- M/S: Kabesha & Company (Appeal No. 62/2021) Kabwe
- M/S: Luboko Chambers for A3 (Appeal No. 72,73,74,75/2021) Lusaka
- M/S: Milner and Paul Legal Practitioners (Appeal No. 76,77,78,79/2021)  
Lusaka