

# BUMBA PLEADED GUILTY THROUGH A PLEA BARGAIN AGREEMENT

By Petride Mudoola

A 45-year-old traditional healer has been sentenced to eight years in jail after pleading guilty to aggravated defilement under a plea bargain.

Shaban Bumba, a resident of Isakabusolo village in the Bugiri district, told Iganga High Court that he was aware of an aggravated defilement case, where he defiled Sandra Alinza, a 16-year-old girl he was entrusted to treat.

This was after Iganga resident judge David Batema read to him a plea bargain agreement he had earlier signed in exchange for a lighter sentence.

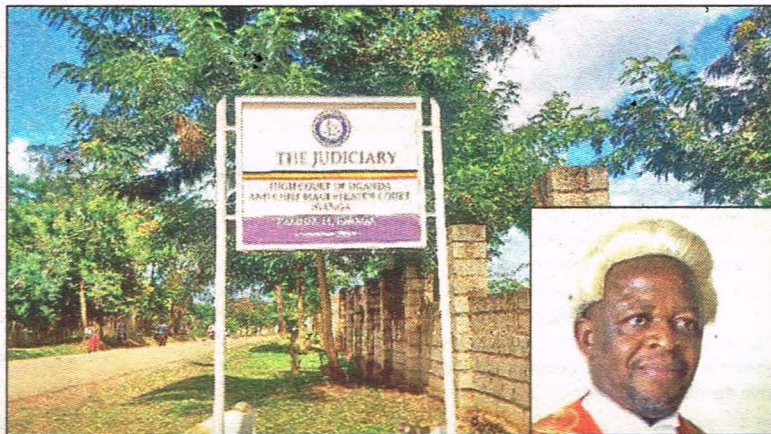
"The plea agreement you signed, pleading guilty to the charge of aggravated defilement, was out of your own free will and voluntary. You offered to plead guilty in exchange for a lighter sentence. I take it that your lawyer explained to you the consequences of surrendering your rights under a plea bargain agreement. You are convicted at your own guilty plea and sentenced to eight years in prison," Batema held.

Bumba was among the 99 inmates who pleaded guilty to their offences in a plea bargain session held at Kirinya Prisons in Jinja recently. A plea bargain is a process that allows an accused person to plead guilty in exchange for a lighter sentence subject to approval by the court.

The victim's evidence adduced in court implicated the accused for sexually assaulting the her. The victim had turned to Bumba's shrine seeking a remedy, more so ritual cleansing, only to be sexually abused at the hands of the traditional healer.

Batema noted that: "Bumba was a traditional healer meant to save the life of his patient. The victim was under the care of the accused, but he instead took advantage of her

## WITCH DOCTOR GETS 8 YEARS IN JAIL FOR DEFILING PATIENT



The High Court in Iganga. The court sentenced Bumba to eight years in jail over aggravated defilement. Inset is Justice Batema

problem to defile her."

Before passing judgement, the judge considered the fact that the accused pleaded guilty to the offence, he was a first offender with no previous criminal record. Noting that the accused was HIV positive, but the victim did not acquire HIV during intercourse.

Batema said: "It is, however, so disturbing that the accused chose to defile the girl he was entrusted to treat. Aggravated defilement carries a maximum sentence of death upon conviction, but court finds that the accused voluntarily agreed to plead guilty with an understanding of the nature and consequences thereof and there is a factual basis for the plea."

"I sentence the accused to eight years' imprisonment. I deduct the period you have spent on remand of one year and nine months. He shall serve the balance of six years and three months at Kirinya Prison in Jinja, Batema noted.

"I have explained to the accused that the prosecution has provided me with all information and evidence and I know of no reason that the accused should not plead to this charge," David Kyoziira, the defence lawyer, said.

### PROSECUTION CASE

The Prosecution, led by Jonathan Tumushime, revealed that on April 3 and 4, 2024, Bumba, a traditional



The accused pleaded guilty to the charge of aggravated defilement.

healer and resident of Isakabusolo village, Bulidha sub-county in Bugiri, performed a sexual act with a 16-year-old minor.

While residing with her maternal aunt Shamim Namulondo at Busanzi cell within Bugiri, on April 31, 2024, at 0800 hours, the victim went to the accused's home seeking a remedy or ritual cleansing for evil spirits that sexually assaulted her at night.

The victim approached the accused with the intention of establishing the cause of the problem and thereafter finding a lasting solution to send away the evil spirits. Bumba demanded sh52,000 as a consultation fee to appease the spirits, which she obliged to.

The prosecution learned that when the accused saw the victim with the

balance of sh4,000 meant for transport back home, he asked her to hand over all the money in her possession, leaving her empty-handed.

Later in the evening, Bumba instructed the victim not to leave the shrine unless the spirits ordered her to go, which she heeded to.

On the fateful days of on April 3 and 4, 2024, the accused referred the victim to a small grass-thatched house under the pretext of cleansing her. Bumba undressed the victim before giving her herbs to apply on her vagina while the accused smeared it on his penis.

The accused assaulted the victim for two nights until April 5, when she declined and asked Bumba to allow her to go back home, but the witch doctor instructed her to wait for orders from the spirits.

Prosecution heard that the victim approached Mugaga Muto, the witch doctor's attendant and reported to him the sexual assaults she had suffered at the hands of the accused. Muto took the victim to Adam Funga's home, where she spent the night.

The next day, Funga referred the victim to the chairperson responsible for traditional healers in the area, identified as Issa Kakaire, to whom she reported her ordeal. Kakaire referred her to Mutere Police Station, where a defilement case was filed against Bumba.

She was taken to Mutere Health Centre III, where the medical officer, Caroline Kisakye, examined her and confirmed she had been defiled, though not infected with HIV. Bumba had been enrolled on a treatment regimen for HIV two years earlier.

The medical officer recommended that the victim be initiated on post-exposure prophylaxis, an emergency, 28-day course of antiviral medication taken to prevent HIV infection after a potential exposure.