

UGANDA / JUDGMENT

Mugisha v Uganda (HCT – 01 – CR – CM – NO – 050 OF 2018) [2019] UGHCCRD 19 (24 January 2019)

[2019] UGHCCRD 19

COURT

HC: Criminal Division (Uganda)

BEFORE

Masalu Musene, J

CASE / FILE NUMBER

HCT – 01 – CR – CM – NO – 050 OF 2018

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THE REPUBLIC OF UGANDA

IN THE HIGH COURT OF UGANDA AT FORT PORTAL

HCT – 01 – CR – CM – NO – 050 OF 2018

(Arising from FPT – 00 – CR – AA – No. 212 of 2018)

MUGISHA RONALD APPLICANT

VERSUS

UGANDA (DPP)..... RESPONDENT

BEFORE: HIS LORDSHIP MR. WILSON MASALU MUSENE

Ruling

The Applicant, Mugisha Ronald applied for bail under **Article 23 and 28** of the Constitution of the Republic of Uganda, 1995, **Sections 14 and 15** of the Trial on Indictments Act, **Rule 2** of the Judicature (Criminal Procedure) (Application) Rules

The Applicant was represented by M/s Nakagga & Co. Advocates and Wasswa Adam appeared for the Respondent. The general grounds in support are stated in the Notice of Motion but briefly are:-

1. The offence (rape) with which the Applicant is charged with is bailable by this Honourable Court.
2. The Applicant has substantial sureties ready to stand for him and abide by the bail terms set.

3. The Applicant has a fixed place of abode within the jurisdiction of this honourable Court.
4. The Applicant shall abide by all bail terms set by the honourable Court.
5. The Applicant has family responsibilities and obligations required of him.
6. It is in the interest of justice that this application is allowed.

The two sureties are Mutegeki Adolf and Kabasemera Hilda. The state had no objection to the bail application.

Since the sureties appear responsible persons who will ensure the accused returns to Court to stand trial, and in view of the presumption of innocence as provided under **Article 28(3)** of the Constitution of the Republic of Uganda, 1995, I find and hold that this is a fit and proper case to grant bail to the Applicant.

I therefore, do hereby grant bail to the accused on the following conditions;

1. Applicant to deposit a sum of Shs. 500,000/= cash in Court.
2. Each of the sureties to execute a bond of Shs. 1,000,000/= not cash.
3. Applicant to be reporting to the Assistant Registrar of this Court once in a month till trial, starting on 22/2/2019.

.....

WILSON MASALU MUSENE

JUDGE

24/1/2019

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