

**THE REPUBLIC OF UGANDA
IN THE HIGH COURT OF UGANDA AT MBARARA**

**HCT05-CR-MA-36-2002
(From Ruk.00-CR-CO-0031-2002)**

MUBONE SAM..... APPLICANT

VS

UGANDA.....RESPONDENT

BEFORE: THE HON. JUSTICE P. K. MUGAMBA

RULING

I have heard counsel for the applicant in regard to the application. I have also heard from the State Attorney who argues that the sureties presented are not substantial given that the first surety is said to be a businessman of uncertain business, the second surety is a casual labourer while the third surety employs himself in an enterprise of uncertain magnitude. I must add that court was not allowed to learn certain important factors in deciding on bail such as the stage reached in investigations, the charges against the accused person and the amount of money involved in the charge or charges. Let me note also that it is not clear how Dr. Baguma of Nyakibale Hospital comes to swear an affidavit in support, given the clear requirements of Act 9 of 1998 where he would be irrelevant.

In the circumstances I find I can't grant bail to the applicant.

**P. K. Mugamba
Judge**

13th August 2002

Mr. Murumba for the State

Mr. Mwene-Kahima for the applicant

Applicant in court

Ms Tushemereirwe court clerk

Court: Ruling read in court.

P. K. Mugamba

Judge