

“ The burden is upon the applicant to satisfy court by putting forth before court a set of facts, beyond the ordinary considerations for bail, upon which the court can act, in the exercise of its discretion, to admit the applicant to bail”

See: **High Court of Uganda at Gulu Miscellaneous Application Number 0037 of 2008: Bongomin Richard Akal vs Uganda**, unreported.

The applicant has asserted that he had a child of tender years – 4 years- whose mother has separated from the applicant had is believed to be living in Sudan. The child now stays with the maid alone at home and needs the applicant’s presence.

The name of the mother of this child is not stated. It is also not disclosed as to when the separation happened.

There is no independent evidence to support the applicant’s version.

Applicant also states that he has other dependants whose outstanding fees is outstanding and have been sent back home. There are no names or ages stated of these dependants.

On the basis of the evidence put forward, court is not satisfied that this is a case where it should exercise its discretion to grant bail to the applicant.

This application is dismissed.

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Remmy Kasule

Judge

2nd September 2008