

been committed for trial. According to the summary of the case, the applicant is alleged to be the maternal uncle to Sumaya Katwesige, the alleged victim in the main case. They are also said to be neighbours at Kijura South, Central Division, Masindi Municipality. The alleged relationship would therefore suggest the applicant exercises or has some degree of control or authority over the victim. While there is no explicit evidence that he will interfere with the victim if released on bail, the likelihood of such an occurrence is given more by the alleged relationship and the proximity of their homes.

In the exercise of court's discretion in the matter, I am of the view that the interests of justice in the main case are better served by declining to grant bail to the applicant other than granting it at this juncture. I should perhaps observe, since the applicant has been committed for trial and the offence is alleged to have been committed at Kijura, which is stone's throw from court, and the key witness (victim) is said to reside in the same area, there is nothing to stop the main case from being heard. The concerns of their party can best be addressed by embarking on the said process.

Application for bail is disallowed and it is ordered the main case be fixed for hearing. Hearing of the main case is fixed for 6th November 2013 at 9:30 Am.

SIGNED

BYABAKAMA MUGENYI SIMON

RESIDENT JUDGE

23RD OCTOBER 2013

