

**THE REPUBLIC OF UGANDA  
IN THE HIGH COURT OF UGANDA HOLDEN AT KAMPALA**

**CRIMINAL MISCELLANEOUS APPLICATION NO. 30 OF 2015**

**(Arising from Nakaseke CRB/ Case No. 135 of 2013)**

**KAWEESI FRANK ::: APPLICANT**

**VERSUS**

**UGANDA:::RESPONDENT**

**RULING BY HON. MR. JUSTICE JOSEPH MURANGIRA**

The applicant is represented by Mbabali Jude from Mbabali Jude & Co. Advocates. Whereas, the respondent is represented by Ms. Lillian Nandawula, State Attorney working with the Directorate of Public Prosecutions.

This application is for bail, brought by notice of Motion under Article 23 (6) (a) and (c) of the Constitution of the Republic of Uganda; Section 14 (1) (a) of the Trial Indictment Act, Cap.23 as well as Rule 2 of the Criminal Procedure Application Rules. The grounds of this application are set out in the Notice of Motion and in its supportive affidavit.

Counsel for the applicant vehemently presented and argued the applicant’s application. He presented to Court sureties to stand for the applicant. In reply, Counsel for the respondent objected to this applicant. She equally vehemently, in her arguments relied on the grounds that are well set out in the respondent’s affidavit in reply to this application.

On perusal of the entire record of the files pertaining to this case, I found out that on 9<sup>th</sup> July, 2014, in my ruling thereof I dismissed a similar application by the applicant for bail. The applicant was represented by the same lawyers. I have evaluated the parties’ affidavit evidence on record and considered the submissions by both Counsel for the

parties and my thinking about this matter expressed in my ruling of 9<sup>th</sup> July,2014 between the same parties has never changed.

Ground 2 of this application and paragraph 6 of the applicant's affidavit in support of this application, the applicant's complaint is that he does not know when his case shall be fixed for hearing. Bearing this in mind, today when I was fixing dates for the case to be heard in the September, 2015, Criminal Session, his case too, was fixed for hearing together with his Co-accused. His case will be heard on 22<sup>nd</sup> September, 2015.

In a nutshell, and in addition my discussions hereinabove, I agree with the submissions by Counsel for the State/Respondent, I uphold the objections raised and relied on by the respondent's Counsel. Wherefore, I find that this application has no merit. It is accordingly dismissed.

Dated at Kampala this 26<sup>th</sup> day of August, 2015.

.....

**Joseph Murangira**

**Judge**