

THE REPUBLIC OF UGANDA  
IN THE HIGH COURT OF UGANDA AT KAMPALA  
MISC CR, APPL. NO. 248/1989  
SUNDAY MIBULO ::::::::::::::::::::::::::::::: APPLICANT.  
VERSUS  
UGANDA :::::::::::::::::::::::::::::::::::::::RESPONDENT.  
BEFORE: The Honourable Mr. A Justice J.W.N. Tsekooko

RULING

The applicant Sunday Mibulo aged 25 years and charged with two counts of simple robbery c/s.272 and 273 (1) (a) of Penal Code and Rape c/s 117 and 118 of Penal Code has been on remand since 18th May, 1987. Thus he has been on remand for a total of 33 months. According to the learned State Attorney appearing for the State, the police file has never been sent to the D.P.P, by Jinja Road Police Station which is within Kampala. One is not certain whether the police file in fact exists. The offences against the accused are bailable, but the place of abode for the accused is a rented premises. He does not have a house of his own nor his own land. If the applicant has to be released since he qualifies for release in terms of Section 14A of the T.I.D 1971 as amended, there must be assurance that he will turn up to answer his charges. Bearing all the circumstances of this application in mind and in view of the remarks by the learned State Attorney about absence of police file, I consider this to be fit and proper case to release applicant on bail on the following conditions:—

- (a) To deposit cash Shs, 20,000/ in Court.
- (b) To produce 2 sureties to be approved by the Registrar Each surety to be bound in the sum of Shs 50,000/=
- (c) If above conditions are fulfilled accused to report to Buganda road chief magistrates court every 30 days from the date he fulfills these conditions and is released.

If the applicant does not fulfill these conditions he shall go back on remand.

J.W. N. TSEKOOKO

AG. JUDGE

6/7/1990.