

**THE REPUBLIC OF UGANDA**  
**IN THE HIGH COURT OF UGANDA**  
**AT GULU**  
**HCT – 02 – CO – MA – 063 – 2008**  
**(Arising from Gulu Criminal Case No. AA 201/2008)**

**1. OCITTI TOM ORYEMA**  
**2. OJOK DAVID OCITTI**  
**3. LANYERO MILLY**  
**4. AYOT BRENDA**  
**5. OKENY JUSTINE:::::::::::::::::::::::::APPLICANTS/ACCUSED**

**VERSUS**

**UGANDA:::::::::::::::::::::::::::::::::::::RESPONDENT/PROSECUTOR**

**BEFORE: HONOURABLE JUSTICE REMMY K. KASULE**

**RULING**

The applicants: OCITTI TOM ORYEM, OJOK DAVID OCITTI AND AYOT BRENDA, are charged of murder in Gulu Criminal case No. AA 201 of 2008.

The murder is alleged to have taken place on or about 16<sup>th</sup> September, 2008, in the suburbs of Gulu Municipality.

The first applicant is the biological father of the second and third applicants.

Ms Laker Gladys and Bongomin Joyce, have sworn affidavits to the effect that they are possible prosecution witnesses residing in the same area as the applicants, and that the applicants, particularly are first applicants being persons of influence in the area, the first applicant having been a former Grade II Magistrate, there is a likelihood of interference in the investigations of the case.

Learned counsel, Mr. Muwonge, for the state has from the bar, confirmed to court that the investigations are not yet complete. They are still on going.

Court appreciates the applicants might to apply and to be considered for grant of bail. This however must be balanced with the need to ensure that the ends of justice are served.

The offence of murder is a very grave offence carrying a maximum death sentence. The offence happened only in September 2008 and state is entitled to reasonable time to complete investigations without any disruption.

Court finds that there is justification for not granting bail to the applicants at this particular time.

This application is refused. Let the same be renewed at some other time, the applicants may find appropriate.

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Remmy K. Kasule

Judge

28<sup>th</sup> November, 2008