IN THE FEDERAL HIGH COURT
HOLDEN AT LAGOS, NIGERIA
ON FRIDAY THE 8TH DAY OF DECEMBER, 2017
BEFORE THE HONOURABLE
JUSTICE HADIZA .R. SHAGARI
JUDGE

CHARGE NO: FHC/L/401C/2017

BETWEEN:

FEDERAL REPUBLIC OF NIGERIA ..... **COMPLAINANT**

AND

1. **HONFFO DJIDENU**
2. **HOUNSSA BERGAKOLA**
3. **ATUNGBE PAUL**
4. **HONFFO EMINU**
5. **HOUNSSA ACHILIT**
6. **HOUNFFO DJOELIT**

..... **DEFENDANTS**

JUDGMENT

The Accused/Defendants stand trial for an offence contrary to and punishable under Section 1 (19) (a) of the Miscellaneous Offences Act, Cap M17 Laws of the Federation of Nigeria 2004 and punishable under Section 1(17) (b) of the same Act, in that they on or about 7th September, 2017 at Lagos Anchorage, Apapa, Lagos within the jurisdiction of the Honourable Court attempted to commit an offence to wit: dealing in petroleum products in Nigeria without lawful authority or appropriate licence.

On the 8th December, 2017 when the charge was read over to the Accused/Defendants they understood same and pleaded guilty.

C.O. OSUNDE (Mrs)
CERTIFIED TRUE COPY
PRIN. EXECUTIVE OFFICER
FEDERAL HIGH COURT
IKOYI LAGOS
DATE: 16/3/18

Scanned by CamScanner

In view of the plea of guilt by the Accused/Defendants the Prosecutor proceeded to review the facts of the case as contained in the charge. The Prosecution further tendered from the Barr 6 (Six) Exhibits in evidence.

1.	The following documents are in evidence as	Exhibits A, B, C and D
2.	The statement of the 1st – 6th Defendants	Exhibit E1 – E6
3.	Picture/Photograph of the items Recovered are	Exhibit F1 & F2

With the tendering of the Exhibits as highlighted above, Exhibit A-F respectively, the Prosecution close their case and pray for the conviction of the Accused/Defendants based on the plea.

The Accused/Defendants told this Court they have no any defence to the charge.

I have considered the submission of the Prosecution and I am of the view that the Prosecution has proof the case beyond reasonable doubt and I hereby convict the Accused/Defendants accordingly as charge.

Question: Do you understand the conviction read to you?

1st Defendant: Yes I do.

2nd Defendant: Yes I do.

3rd Defendant: Yes I do.

4th Defendant: Yes I do.

5th Defendant: Yes I do.

C.o. Osawe (Mrs)
CERTIFIED TRUE COPY
CHIEF EXECUTIVE OFFICER
FEDERAL HIGH COURT
IKOYI, LAGOS
DATE: 16/5/18

Scanned by CamScanner

6th Defendant: Yes I do.

Question: Are you guilty or not guilty:

1st Defendant: Am guilty.

2nd Defendant: Am guilty.

3rd Defendant: Am guilty.

4th Defendant: Am guilty.

5th Defendant: Am guilty.

6th Defendant: Am guilty.

Prosecution: In view of the plea of guilty by the 1st – 6th Defendants the facts of the case are the Nigeria Navy on Patrol on 7th September, 2017arrested all the 6th Defendants on the Nigeria Waters at the Lagos Anchorage at Apapa. They were suspected to be Oil Bunkers. They were arrested with wooden boat and 140 Empty Drums.

The investigation into the arrest revealed that the 6th Defendants have no any licence either to navigate on the Nigeria Waters or to deal with Petroleum Products.

The 5th Defendant Hounssa in his statement owned up to the fact that they were dealing with the Petroleum Products in Nigeria illegally and based on this facts, the 6th Defendants were

C.o. Osawe (Mrs)
CERTIFIED TRUE COPY
PRIN. EXECUTIVE OFFICER
FEDERAL HIGH COURT
IKOYI, LAGOS
DATE: 17/5/18

Scanned by CamScanner

charge before this Honourable Court for the attempt to deal in Petroleum Products.

We apply to tender the statement of 6th Defendants and handing over note for the Navy dated 13th 0ctber, 2017 and picture of the Exhibits attach.

We adopt the plea bargain agreement before the Court and convict the 6th Defendants as charge and sentenced them accordingly.

1st – 6th Defendants: No objection.

Prosecutor: We urged the Court to convict the 6 Defendants and sentenced them accordingly as charged.

1st – 6th Defendants: We urge the Honourable Court to allow the plea bargain entered by the 6 Defendants and also pray to the Court to temper justice with mercy.

In view of the plea of guilt by the 6th Defendants and plea bargain entered by the Prosecution, the 6th Defendants and the Defence Counsel dated 5th December, 2017 and upon the review of facts of the Prosecuting Counsel coupled with the Exhibits before the Honourable Court.

I hereby adopt the terms of the plea bargain as Judgment of this Honourable Court and convict the 1st – 6th Defendants accordingly as charged and I hereby

C.O. Osawe (Mrs)
CERTIFIED TRUE COPY
CHIEF EXECUTIVE OFFICER
FEDERAL HIGH COURT
IKOYI, LAGOS.
DATE: 16/5/18

Scanned by CamScanner

sentence them to 6th Months prison term each from the date of first arrest. The documentary exhibits be kept with the Court staff for proper custody.

.....

HON. JUSTICE HADIZA R. SHAGARI
JUDGE
8/12/17

APPEARANCES:

PARTIES: **THE 1ST – 6TH DEFENDANTS ARE IN COURT.**

ZAINAB ETTU FOR THE PROSECUTION

ABDULMALIC IBRAHIM & AB JOSIAH FOR THE 6TH DEFENDANTS.

C.O. Osawe (Mrs)
CERTIFIED TRUE COPY
PRIN. EXECUTIVE OFFICER
FEDERAL HIGH COURT
IKOYI, LAGOS.
DATE 16/5/18

Fees cet ₦800.00

16/5/18

11.56Am pm

3002-23602475

FEDERAL HIGH COURT
Cashier's Office
DATE 16/05/18
LAGOS.

Scanned by CamScanner