

IN THE HIGH COURT OF ANAMBRA STATE OF NIGERIA
IN THE HIGH COURT OF AWKA JUDICIAL DIVISION

HOLDEN AT AWKA

BEFORE HIS LORDSHIP HON. JUSTICE J.C IGUH (ADMIN JUDGE)
ON WEDNESDAY THE 13TH DAY OF OCTOBER, 2011.

SUIT NO. A/26C/2008
MOTION NO. A/1012M/2010

BETWEEN:

EJIKE NGWU

AND

APPLICANT

COMMISSIONER OF POLICE

RESPONDENT

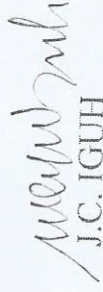
I have carefully considered the application, affidavit in support together with the exhibits exhibited thereto, arguments of the learned counsel for the defendant/applicant and the submissions of the learned prosecuting counsel not opposing the application, and infact, who also prayed the court to grant the application. Exh. A2 exhibited to the application shows that the applicant is now standing trial in this case (A/26c/2008) for the offence of stealing. It is shown in Exh. A2 that he is charged with stealing punishable under Section 353 of the Criminal Code Cap. 36 Revised Laws of Anambra State 1991. It means therefore that he is not standing trial for capital offence.

After due considerations of the processes filed in respect of the application and the submissions of the prosecuting counsel in respect of the application it seems to me that the applicant has made a case that would warrant the grant of the application. The application is accordingly granted. The defendant/applicant is therefore admitted to bail in the terms and conditions hereunder:-

- (1) Applicant is admitted to bail in the sum of N400,000.00 with one surety in the like sum.
- (2) Surety to be resident within the jurisdiction of this court.

- (3) Surety to be identified in writing by the traditional ruler of his town or the President General of his town union.
- (4) Surety to show evidence of payment of tax for the past three (3) years including 2011.
- (5) Surety to swear to a satisfactory affidavit of means.
- (6) Surety's residence within the jurisdiction of this court to be confirmed in writing by the prosecuting counsel.
- (7) Surety and the defendant/applicant to deposit two of their current passport photographs each.

Upon fulfillment of these conditions, the applicant may be released on bail.


J.C. IGUH

JUDGE

13TH OCTOBER, 2011

P.U. Nweke, Esq for the defendant/applicant
S.N. Nwabunwanne, Esq for the respondent