

IN THE FEDERAL HIGH COURT OF NIGERIA
IN THE KADUNA JUDICIAL DIVISION
HOLDEN AT KADUNA
ON WEDNESDAY THE 25TH DAY OF MARCH, 2020 BEFORE HIS
LORDSHIP, THE HONOURABLE JUSTICE Z. B. ABUBAKAR
JUDGE

CHARGE NO: FHC/KD/5^C/2020

BETWEEN:

FEDERAL REPUBLIC OF NIGERIA

- PLAINTIFF

AND

ABDULKADIR MOHAMMED SALIHU

- DEFENDANT

PROCEEDINGS

Case called

Defendant in Court

He speaks English language

G. ADEMU ETEH ESQ

For the prosecution.

(with: M.E. EIMONYE ESQ

And ONYEKA EKINEAZOR ESQ)

M.K. ABBA ESQ.

For the Defendant.

Mrs Ademmu-Eten:

The matte is slated for arraignment.

Before this Honourable Court is a 3
Count Amended Charge dated and
filed on the 23/03/2020.

We humbly apply that the Charge be
read to the Defendant for the
purpose of taking his plea.

PLEA

COUNT 1

(Count 1 of the charge was read and explained
to the Defendant in English language and he
appeared to have understood same)

Court: Do you understand Count 1 of the Charge just
read and explained to you?

Defendant: Yes, I understand Count 1 of the Charge just
read to me.

Court: Do you plead guilty or not guilty to the said
Count 1 of the Charge?

Defendant: I plead guilty.

Signed

.....

JUDGE

25/03/2020

PLEA

COUNT 2

(Court- Count 2 of the charge was equally read and explained to the Defendant in English language and he appeared to have understood same).

Court:

Do you understand Count 2 of the Charge just read and explained to you?

Defendant:

Yes, I understand Count 2 of the Charge that was just read to me.

Signed

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JUDGE

25/03/2020

Court:

Do you plead guilty or not guilty to Count 2 of the Charge.

Defendant:

I plead guilty.

Signed

.....
JUDGE
25/03/2020

COUNT 3

(Court- Count 3 of the charge was also read and explained to the Defendant in English language and he appeared to have understood same)

Court: Do you understand Count 3 of the Charge that was read to you?

Defendant: Yes, I understand Count 3 of the Charge that was read to me.

Court: Do you plead guilty or not guilty to the said Count 3 of the Charge?

Defendant: I plead guilty.

Signed

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JUDGE
25/03/2020

Mrs Alemu-Bek:

Following the plea of guilty by the Defendant we urge the Court to convict him based on the Plea Bargaining Agreement entered into by the Prosecution and the Defendant.

The Plea Bargain Agreement is dated 25/03/2020.

We have just detected an error in the Plea Bargain Agreement.

We there apply for a stand down.

Mr Abba:

Infact all of us just realised the error on the Plea Bargain Agreement. We therefore, not oppose to the application for stand down.

Court:

This matter is stood down to 11:00am.

Signed

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JUDGE
25/03/2020

Case called again.

Defendant in Court

(He speaks English language)

Same appearance for the prosecution.

Same appearance for the Defence.

Mrs Ademu-Eteh:

In view of the plea of guilty of the Defendant, we apply that, the Plea Bargain Agreement dated and filed on the 25/03/2020 be entered as the judgment of this Court. We adopt same as the agreement entered into by the Prosecution and the Defendant.

Signed

.....
JUDGE
25/03/2020

Mr Abba:

We adopt the Plea Bargain Agreement and urge the Court to enter same as its judgement in respect of this case.

Defendant:

Yes, I admit the allegation in Count 1 of the charge and I plead guilty in respect of the said Count 1 of the Charge.

Yes, I admit the allegation in Count 2 of the charge and I plead guilty in respect of the said Count 2. Yes, I admit the allegation in Count 3 of the Charge and I plead guilty to the said Count 3 of the Charge.

Court:

In view of the plea of guilty entered by the Defendant to all the three (3) Counts of the Charge, this Court so finds the Defendant guilty of the offences charged in all the three (3) Counts of the charge and he is accordingly, convicted of the offences charged in all the three (3) Counts of the charge.

Signed

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JUDGE

25/03/2020

Court:

Counsel, I have perused the Plea Bargaining Agreement which you urge me to enter as the judgment of this Court in this case. It appears to me that the terms of the Agreement are some what non-punitive considering the amount involved which is close to **N9 Billion**.

Signed

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JUDGE
25/03/2020

Court:

I do agree that the provisions of the Law pursuant to which the Court was charged allows for imposition of time in lieu of imprisonment and the stated therein as fine is **N7,000, 000:00 (Seven Million Naira)**, which the plea Bargain Agreement only stipulated **N1,000,000:00 (One Million Naira)**.

Mrs Ademu-Eteh:

The convict is not the only person involved in the commission of the offence, there are 7 of them infact the monies mentioned in the Charge did not go to him. His offence is that he made it possible for the said money to be stolen. There are other persons involved and we are on their case too.

As to the amount for fine, the **N7, 000, 000:00 (Seven Million Naira)**, mentioned in the Act is the maximum, thus, lesser amount can be imposed. Furthermore, considering the properties of the convict confiscated as indicated in the Plea Bargain the value of which is more than his involvement, we felt the fine is adequate.

Signed

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JUDGE
25/03/2020

SENTENCE

Court:

Very well, based on the submissions of Counsel for the respective parties the Plea Bargain Agreement dated 25/03/2020 and filed on the same date, is hereby entered as the judgment of this Court which also serves as the sentence imposed by this Court on the convict.

Signed

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JUDGE
25/03/2020