

IN THE FEDERAL HIGH COURT OF NIGERIA
IN THE ASABA JUDICIAL DIVISION
HOLDEN AT ASABA

CHARGE NO: FHC/ASB/3C/2022

BETWEEN

FEDERAL REPUBLIC OF NIGERIA	...	...	COMPLAINANT
AND			
VICTOR KENIYEI (M)	...	...	DEFENDANT

ENROLLED ORDER

UPON THIS CHARGE dated 14th January, 2022
but filed on 17th January, 2022.

Count 1

That you **VICTOR KENIYEI** sometime between January and 12th September, 2021 at Benin City, Edo State within the jurisdiction of this Honourable Court intent to defraud, sent electronic message which materially misrepresented your identity to Kia Abadool, a lady in the United States of America upon which she relied and suffered financial loss in the sum of \$982.98.00 and thereby committed an offence contrary to and punishable under **Section 14(2) of the Cybercrime (Prohibition Prevention etc) Act 2015**

The Defendant having pleaded GUILTY to the Charge.

AND AFTER HEARING *Ibrahim Mohammed Esq* for the prosecution applying that the Plea Bargain Agreement dated 14th January, 2022 but filed on 17th January, 2022 be made the Judgment of the Court.
AND *O.S. Ogbebor Esq* for the Defendant not opposing.


F. A. OLUBANJO
PRESIDING JUDGE



IT IS HEREBY ORDERED AS FOLLOWS:

1. Defendant is found **GUILTY** as Charged.
2. He is sentenced to 5 (Five) Years Imprisonment in the custody of the Nigerian Correctional Service (NCS) with option of ₦1,000,000.00 (One Million Naira) fine, Sentence shall commence from today. Fine shall be paid into the account in which fines levied by this Court are paid.
3. Orders of forfeiture, non-foreclosure and undertaking to be of good behavior are made in accordance with the terms stated at paragraphs 3, 4, 5, 6 and 7 of the Plea Bargain Agreement dated 14th January, 2022 but filed on 17th January, 2022, to wit:

(a) The Convict shall forfeit the balance in his bank accounts as follows: numbers:

- (i) Bank: Union Bank of Nigeria
Account Number: 0118120185, 0123182640
- (ii) Bank: Zenith Bank, Account Number: 2219535603 and
- (iii) Bank: Guaranty Trust Bank
Account Number: 0588218856 as proceeds of crime to the Federal Government of Nigeria through the Economic and Financial Crimes Commission (EFCC).

(b) The convict shall forfeit 0.157 BTC (BITCOIN) equivalent to \$7,462.15 (Seven Thousand, Four Hundred and Sixty Two Pounds, Fifteen Shellings that was recovered from him during investigation in his bitcoin account with Exedus to the Federal Government of Nigeria through the Economic and Financial Crimes Commission (EFCC).



- (c) The convict shall also forfeit the following:
- (i) One iPhone 12 Pro Max with IMEI Number: 35672411923618/
35674119571474
 - (ii) One unregistered red Mercedes Benz C300 Formatic 2003 model with Chassis No. WDDGF81XX91218890 to the Federal Government of Nigeria through the Economic and Financial Crimes Commission (EFCC).



4. This conviction and forfeiture of the above listed assets and properties shall not operate as a foreclosure against the commission (EFCC) from applying to the Court for forfeiture of any other assets/property(ies) subsequently traced to the Convict as proceeds of crime with which he is charged and convicted not mentioned here.
5. The Convict shall make an undertaking in writing to be of good behavior.

ISSUED AT ASABA, under the seal of the Court and the Hand of the Presiding Judge this 2nd day of February, 2022.



EFFIME E. AGAMGBOR
REGISTRAR

CERTIFIED TRUE COPY
(OFFICE OF THE REGISTRAR)
FEDERAL HIGH COURT ASABA DELTA STATE
NAME: Okpanunwa, Mawu
DESIGNATION: Registrar
DATE: 2/4/23 **SIGN:** omh



RAN 1708-1591-8454