

**IN THE FEDERAL HIGH COURT OF NIGERIA
IN THE ASABA JUDICIAL DIVISION
HOLDEN AT ASABA
ON MONDAY, THE 29TH DAY OF NOVEMBER, 2021
BEFORE HIS LORDSHIP, THE HON. JUSTICE F. A. OLUBANJO
JUDGE**

CHARGE NO: FHC/ASB/63C/21

BETWEEN:

FEDERAL REPUBLIC OF NIGERIA COMPLAINANT

AND

OKORO MARVELOUS ATITI DEFENDANT

Defendant in court

F.A Jirbo with K.Y Bello for the Prosecution

Pascal Ugbone with A.S Adesheila for the Defendant

PROSECUTING COUNSEL: Before your lordship is a one count charge dated 27th October, 2021. We apply that the charge be read to the defendant for his plea to be taken.

[Defendant in dock, unfettered]

[Defendant speak and understand English language]

Charge read to the defendant in English language, the charge was interpreted in Pidgin English and explained to the defendant.

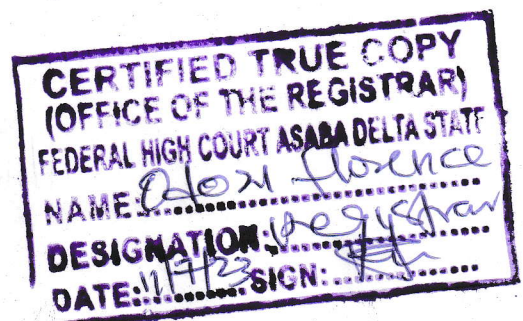
Defendant understands the charge read and pleads as follows:

Defendant pleads guilty to the charge.

COURT: Are you aware of the plea bargain agreement?

DEFENDANT: Yes My Lord.

COURT: Did you sign voluntarily?



DEFENDANT: Yes My Lord,

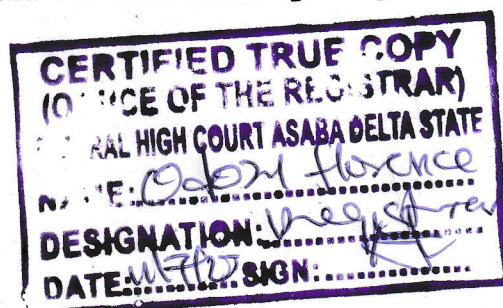
DEFENDANT COUNSEL: He understand fully the importance of the plea bargain. When he came to our office, he showed remorse and we have counseled him, we were the one that approached EFCC for the plea bargain. He has realized that there is no short court to getting rich.

PROSECUTING COUNSEL: In view of the plea of the defendant, we have a plea bargain agreement prepared. I most humbly apply that this Honourable Court accept the plea bargain in convicting the defendant. I urge your lordship to apply section 270 subsection 9 and 10A of the Administration of Criminal Justice Act, 2015 in convicting and sentencing the defendant based on their plea of guilt as contained in the plea bargain entered to. We also refer to section 356 subsection 2 of the same Administration of Criminal Justice Act, 2015 and refer to the case of Dongtoe Vs Civil Service Commission of Plateau State, 2001 LPELR - 959 SC also cited in 2001 9 NWLR part 717, 132 @ 159 paragraphs E - F. We urge the court to convince and sentence the defendant

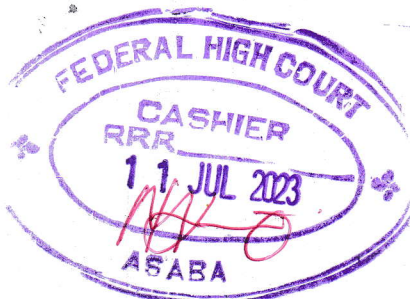
[Prosecuting counsel show the court the statement of account of Access Bank Account Number 1219287736 which had a closing balance of 306:82 as at 5th October, 2021 also of GTB Account No 0462970720 which had a closing balance of 47;42 as at 21st September, 2021, and UBA Account No 2119786556 which had closing balance of 2,398:90 as at 16th September, 2021]

COURT:

I am satisfied that the defendant pleaded guilty to the essential elements of the charge. I am also satisfied that he entered the plea bargain agreement with the full knowledge of its legal implication. I am furthermore satisfied that learned defence counsel properly advised the defendant regarding his plea and



the plea bargain agreement. I have read the proof of evidence filed by the prosecution, I have also sighted the statement of accounts referred to at paragraph 4 of the plea bargain agreement. Having considered the provision of sections 14 of the cybercrime [prohibition, prevention etc] Act 2015 as well as the provision of section 270 [a] and [10] [a] and 356 [2] of the Administration of Criminal Justice thereof, I find the defendant guilty as charged. I hold the view that the terms of the plea bargain agreement dated 18th October, 2020 sufficiently meet the justice of this case. Convict is sentenced to 5 years in the custody of the Nigeria Correctional Service or a fine of 1 million Naira to be paid into the accounts in which fines levied by this court are paid. Convict shall forfeit the properties listed in paragraphs 3 and 5 of the plea bargain agreement as well as the balance in the account listed in paragraph 4 thereof to the Federal Government of Nigeria through the EFCC. In the event that other sums of money or properties are traced to the convict which are not herein listed but are the proceeds of the crime in respect of which he has been charged and convicted. EFCC is at liberty to apply for forfeiture of same. Convict shall make a written undertaking to be of good behavior and desist from criminal activities



PROCEEDINGS PREPARED & ARRANGED BY
ADEWUMI O.F
OFFICIAL COURT REPORTER
29th Day of November, 2021

RRR-1208-644-0276

