

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/66C/21

BETWEEN:

FEDERAL REPUBLIC OF NIGERIA COMPLAINANT

AND

OSAMWOYIN PRECIOUS ETINOSA DEFENDANT

Defendant in court

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

Pascal Ugbone 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 know the importance of the plea bargain. He has shown remorse My Lord, and has been counseled 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 shows the court the statement of the GTB account number 0239931288 which has a balance of 5,09 Naira as at 19th November, 2021 and Zenith bank account number 2218147203 which had a closing balance of 265,725.78 as at 12th September, 2021.]

COURT: Bearing in mind that defendant pleaded guilty to the essential element of the offense stated in the charge dated 27th October, 2021 and voluntarily entered into the plea bargain agreement dated 14th October, 2021, this being to the knowledge of and with the advice of his counsel. Having also read the proof of evidence filed by the prosecution, considered the provision of section 14 subsection 2 of the cybercrime prohibition And Prevention Etc Act 2015, section 270 [a] [10a]

and 356 [2] of the Administration of Criminal Justice Act, 2015 and after careful consideration of the plea bargain agreement dated 14th October, 2021 filed on 28th October, 2021 which I consider meets the justice of this case. Defendant is found guilty as charged and is sentenced to 5 years in the custody of the Nigeria Correctional Services with option of 1 million Naira fine. This fine shall be paid into the account written fines levied by this court are paid. Paragraph 3, 4, 5, 6 and 7 of the plea bargain agreement are also made the judgment of this Honourable Court

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

**CERTIFIED TRUE COPY
(OFFICE OF THE REGISTRAR)
FEDERAL HIGH COURT ASABA DELTA STATE**
NAME: *Okpanun Mary*
DESIGNATION: *Registrar*
DATE: *11/7/23* SIGN: *[Signature]*

**FEDERAL HIGH COURT
CASHIER
11 JUL 2023
ASABA**

RRR-1208-6417-0275