

IN THE HIGH COURT OF JUSTICE OF BAUCHI STATE OF NIGERIA
IN THE HIGH COURT NO. 3 OF BAUCHI STATE JUDICIARY
HOLDEN AT BAUCHI

BETWEEN:

SUIT NO. BA/96C/2021

FEDERAL REPUBLIC OF NIGERIA.....COMPLAINANT

AND

MAHMOOD DAHIRU.....DEFENDANT

MONDAY THE 18TH DAY OF OCTOBER 2021

Defendant present in Court.

A. M. Labaran for the Prosecution.

M. M. Bappa for the Defendant.

Labaran – the matter is for commencement of trial but we have an application to make, we have filed an amended charge of one count dated 15/ 10/2021 filed today we want the Court to accept it and substitute same with the charge filed on 21/9/2021.

Bappa – No objection.

Court – the one count amended charge dated 15/10/2021 filed today is hereby accepted as the extant substantial charge against the Defendant. Thereby struck out the earlier charge filed on 21/10/2021. I order the extant charge be read and explain to the Defendant into Hausa.

Sulaiman Garba Affirmed to interpret the Court proceedings from English to Hausa and visa ivse to the best of his ability.

Court – read out the lone charge and explain it to the Defendant in Hausa.

Court – the lone count charge duly read and explained to the Accused in to Hausa.

Court – have you understood the charge?

Defendant – yes I have understood the charged read to me.

Court – Are you guilty or not guilty?

Defendant – I am guilty of the charged.

Labaran – in view of the plea of guilty entered against the Defendant, we urged the Court to convict him upon his plea as no any better evidence in criminal trial other than confession/Admission of the Accused.

Court – finding

In view of the Accused plea of guilty, I hereby fined him guilty as charged.

Bappa – the Accused having found guilty by the Court as charged we urged the court to pass him a liberal Judgment reason been that he is a first time offender and have shown remorsefulness, the Accused person is a family man and a casual worker, so we an urged the court to temper justice with mercy by giving him an option of fine in place of imprisonment.

LABARAN- No objection to the submission of the Defence Counsel.

COURT - JUDGMENT/ SENTENCE.

After I have listened to submission of the convict Counsel on the plea of allocutus that the Accused is 1st time offender with family and a casual working which have been confirmed by the complainant counsel, I hereby sentence the Accused to the payment of fine of the sum of N30, 000 only or to serve prison terms of 2 years in the event of failure to pay the fine.

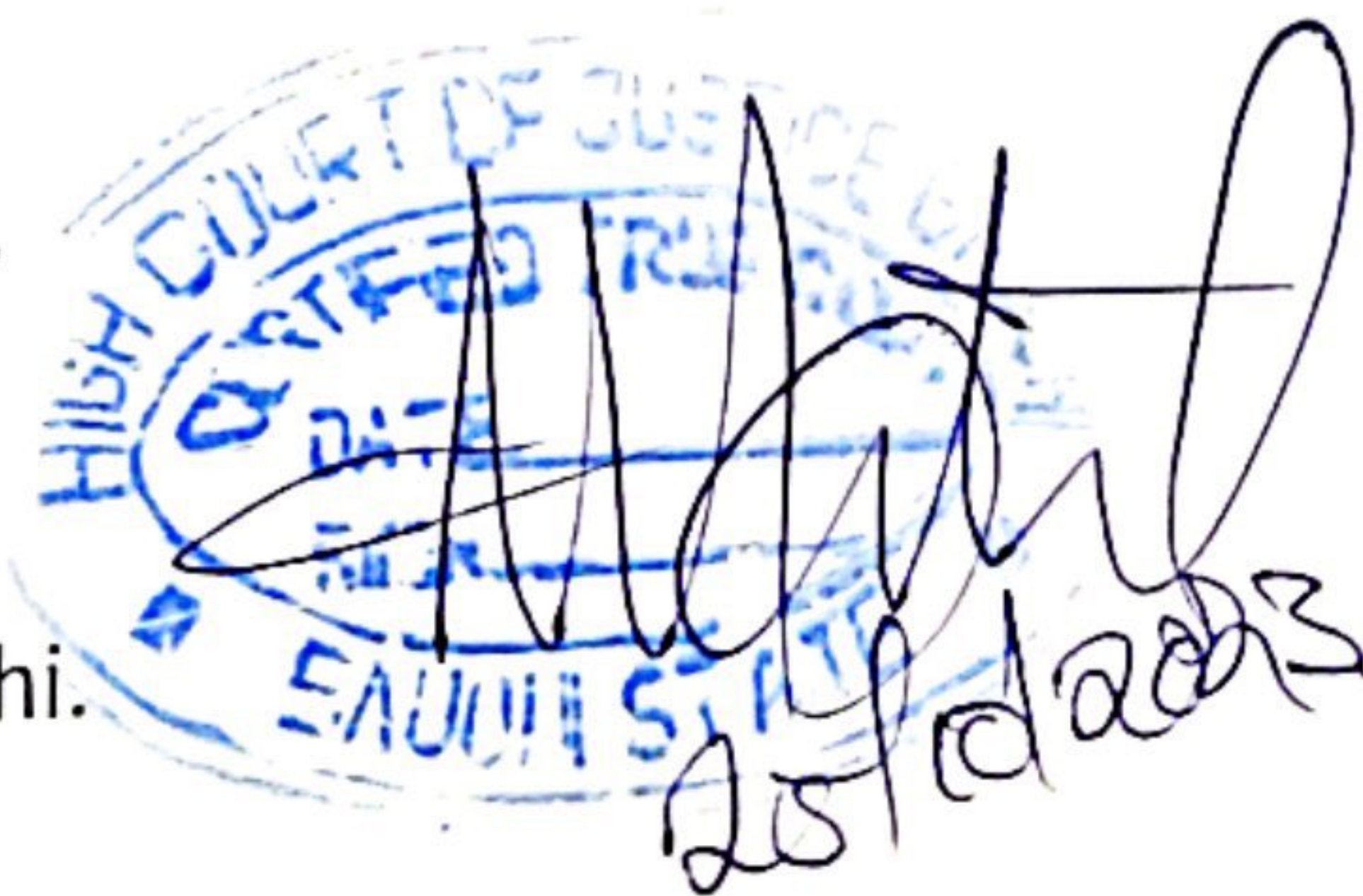
Signed

Hon. Justice M. A. Sambo

Judge

18/10/2021

Certified True Copy by
Adamu Garba Gital
Asst. Chief Registrar
High Court No. 3 Bauchi.



HIGH COURT OF JUSTICE
CERTIFIED TRUE COPY
BAUCHI STATE
20/10/2021

IN THE HIGH COURT OF JUSTICE OF BAUCHI STATE
IN THE BAUCHI JUDICIAL DIVISION
HOLDEN AT BAUCHI

CHARGE NO. BA/96c/2021

BETWEEN

FEDERAL REPUBLIC OF NIGERIA..... COMPLAINANT

AND

MAHMOOD DAHIRU..... DEFENDANT

AMENDED CHARGE

COUNT 1

That you, Mahmood Dahiru on or about the 1st day of August, 2018 at Bauchi, Bauchi State within the Jurisdiction of this Honourable Court, fraudulently induced one Umar Ibrahim Yarima to deliver to you the cumulative sum of N740, 000 (Seven Hundred and Fourty Thousand Naira Only) by falsely representing that the said money is payment for purchase of 2 vehicles (Nissan Bus and Honda Accord) and thereby committed an offence contrary to Section 320 (a) of the Penal Code and punishable under Section 322 of the same Law.

Dated this ^{15th}.....day of October, 2021



K.M.A OLUSHESI ESQ.
A. Y. MUNTAQA ESQ.
A.M. LABARAN ESQ.

ECONOMIC AND FINANCIAL CRIME COMMISSION,
NO. 4 EFCC STREET, NEW G.R.A. GOMBE,
GOMBE STATE.

For service on the Defendant

Official
[Handwritten signature]

IN THE HIGH COURT OF JUSTICE OF BAUCHI STATE
IN THE BAUCHI JUDICIAL DIVISION
HOLDEN AT BAUCHI
CHARGE NO.

BETWEEN
FEDERAL REPUBLIC OF NIGERIA..... COMPLAINANT
AND
MAHMOOD DAHIRU..... DEFENDANT

AFFIDAVIT OF INVESTIGATION

I, Eric Binang, male, Christian, Adult, Nigerian citizen, an Operative with the Economic and Financial Crimes Commission of No. 4 EFCC Street, New G.R.A. Gombe, do hereby make Oath and states as follows:

1. That, I am an investigator with the Economic and Financial Crimes Commission Gombe Zonal Office.
2. That, I am part of the team that investigated the case against the Defendant.
3. That, by virtue of my position as aforesaid, I am familiar with the facts of this case and the facts deposed herein in this Affidavit.
4. That, I have the consent and authority of the Complainant to depose to this Affidavit.
5. That, I know as a fact that, sometime in August, 2020 a complaint was received by our office and same was assigned to our team Advance Fee Fraud Section (AFF) for investigation.
6. That the complainant was pertaining to the offences of Obtaining Money by false pretence and Cheating.
7. That, I know as a fact that our team did investigate the case.

8. That after the investigation, the investigation linked the defendant with the commission of the offence.

9. That, at the Legal Department, the case was assigned to A. M. Labaran Esq. for advice.

10. That I was informed by A. M. Labaran Esq. of Counsel directly handling this case on the 13th day of September, 2021 in our office in the course of further briefing at around 11:00 hours and I verily believed him as follows:

(a) That, from the investigation carried out, a prima facie case is made against the Defendant.

(b) That, investigation linked the Defendant with the offences with which he was charged.

(c) That from the investigation carried out there are enough facts to make a case against the Defendant.

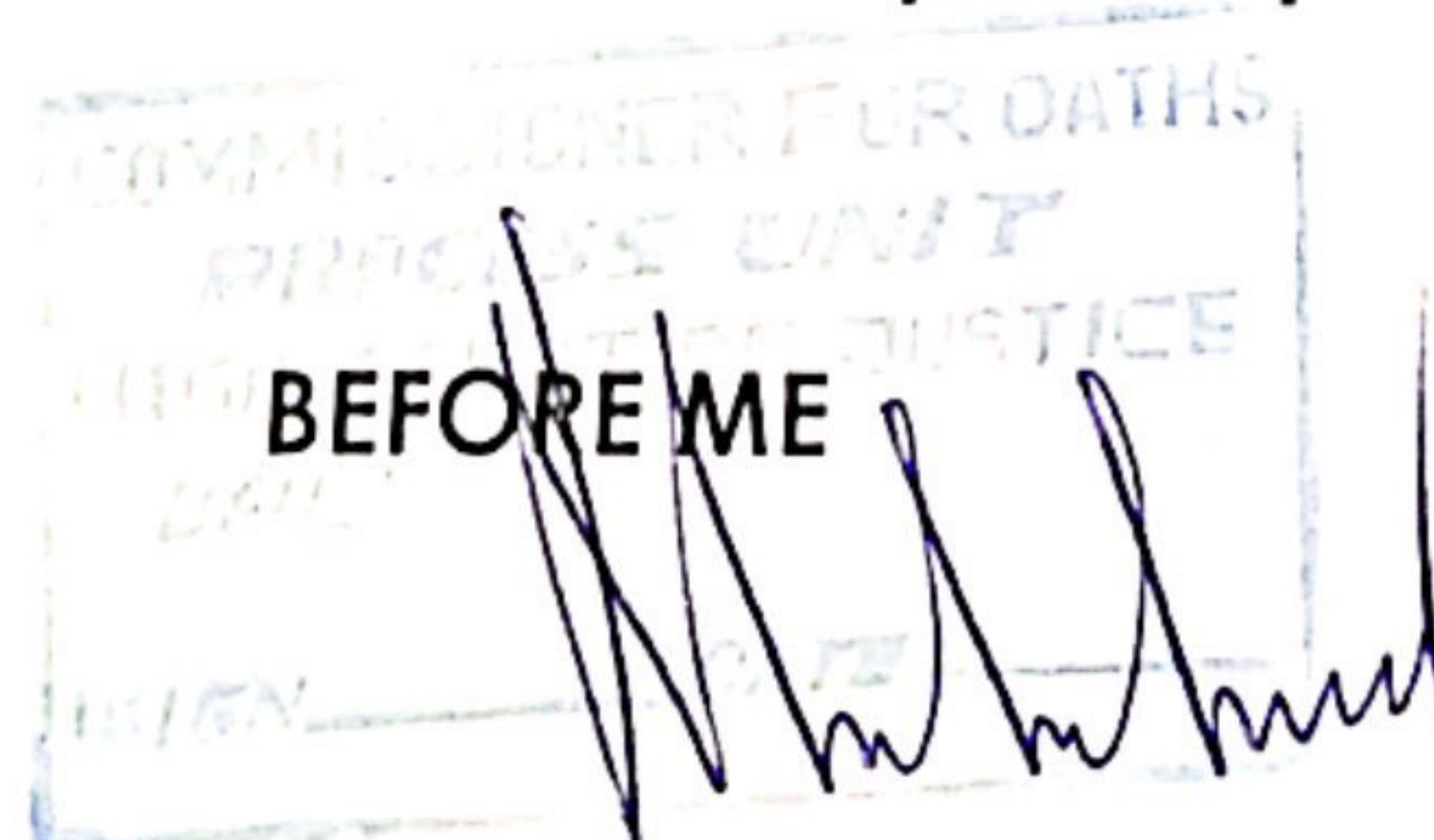
11. That, I depose to this Affidavit in good faith believing its contents to be true, correct and in accordance with the Oath Act 2004.



Deponent

Sworn to at the High Court Registry, Bauchi, Bauchi State.

Dated this.....^{21st}..... day of September, 2021



COMMISSIONER FOR OATHS
PROCESS UNIT
HIGH COURT JUSTICE
BAUCHI STATE
BEFORE ME

COMMISSIONER FOR OATH

IN THE HIGH COURT OF JUSTICE OF BAUCHI STATE
IN THE BAUCHI JUDICIAL DIVISION
HOLDEN AT BAUCHI

CHARGE NO.

BETWEEN

FEDERAL REPUBLIC OF NIGERIA..... COMPLAINANT

AND

MAHMOOD DAHIRU..... DEFENDANT

PROOF OF EVIDENCE

LIST OF WITNESSES

1. Umar Ibrahim Yarima: He is the nominal complainant. He will testify and inform the court how he was defrauded by the defendant and tender documents.
2. Nasiru Abdulkarim Yusuf: He will testify and inform the Court what he knows with regards to this case.
3. Mustapha Usman: He will state what he knows with regards to this case.
4. Detective Suleiman Jijiwa: He is an operative with the EFCC. He will testify and inform the Court his level of involvement in the investigation, their findings and also tender documents.
5. Detective Shamsudeen Bello: He is an operative with the EFCC and a member of team that investigated this case. He will testify and inform the Court his level of involvement in the investigation, their findings and also tender documents.
6. Detective Adamu Mohammed: He is an operative with the EFCC and a member of the team that investigated the case against the Defendant. He will testify and inform the Court his level of involvement in the investigation, their findings and also tender documents.

7. Detective Eric Binang: He is an operative with the EFCC and a member of the team that investigated this case. He will testify and inform the Court his level of involvement in the investigation, their findings and also tender documents.
8. Detective Aisha Nana Lawal: She is an operative with the EFCC and a member of the team that investigated this case. She will testify and inform the Court her level of involvement in the investigation, their findings and also tender documents.
9. Detective Igwebuike Prince Ikenna: He is an operative with the EFCC and a member of the team that investigated this case. He will testify and inform the Court his level of involvement in the investigation, their findings and also tender documents.

Dated this^{21st}..... day of September, 2021

K.M.A OLUSHESI ESQ.

A. Y. MUNTAQA ESQ.

A.M. LABARAN ESQ. ✓

**ECONOMIC AND FINANCIAL CRIME COMMISSION,
NO. 4 EFCC STREET, NEW G.R.A. GOMBE,
GOMBE STATE.**

For service on the Defendant

IN THE HIGH COURT OF JUSTICE OF BAUCHI STATE
IN THE BAUCHI JUDICIAL DIVISION
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AND

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LIST OF EXHIBITS

1. Copy of the petition
2. Statement of the Defendant
3. Statement of Umar Ibrahim Yarima
4. Statement of Nasiru Abdulkarim Yusuf
5. Statement of Mustapha Usman
6. Agreement written in Hausa for the sale of Nissan Bus dated 1/09/2018 and the translated version.
7. Agreement written in Hausa for the sale of Honda car dated 1/09/2018 and the translated version
8. Agreement written in Hausa for the sale of vehicle (Bus) dated 1/09/2018 and the translated version.

Dated this 21st day of September, 2021



K.M.A OLUSHESI ESQ.

A. Y. MUNTAQA ESQ.

A.M. LABARAN ESQ. ✓

ECONOMIC AND FINANCIAL CRIME COMMISSION,
NO. 4 EFCC STREET, NEW G.R.A. GOMBE,
GOMBE STATE.