

IN THE FEDERAL HIGH COURT OF NIGERIA
IN THE CALABAR JUDICIAL DIVISION
HOLDEN AT CALABAR
ON THURSDAY THE 22ND DAY OF JULY 2021
BEFORE HIS LORDSHIP HONOURABLE JUSTICE IJEOMA L. OJUKWU
JUDGE
CHARGE NO: FHC/CA/76C/2021

BETWEEN:

FEDERAL REPUBLIC OF NIGERIA - COMPLAINANT

AND

ARINZE VALENTINE AKPARAUGO - DEFENDANT
(AKA YOSHINO KOIKE)

PROCEEDING

Defendant is present.

Appearances

S. R. Akinrilade with S. S. Anbido for the Prosecution. 12/05/2023

C. O. Basse for Defendant.

Court: The Matter for Arraignment.

The Charge for which the Defendant is standing trial is couched as follows:

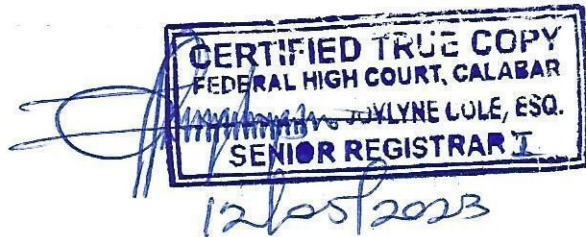
"That you **Arize Valentine Akparaugo (AKA YOSHINO KOIKE)** 'M' sometime from December 2020 to 2021 within the jurisdiction of this Honourable Court did fraudulently impersonate Yoshino Koike (a purported Japan Citizen) on facebook with the email benardasuzu@gmail.com with intent to gain advantage for



yourself and thereby committed an offence contrary to Section 22(2) (b) (i) of the Cyber Crimes (Prohibition, Prevention) Act 2015 and punishable under Section 22 (b) (iv) of the same Act.

The Charge is read and explained to the Defendant in English language to the satisfaction of the Court and he appears perfectly to understand the Charge and Pleads as follows:-

Defendant: I am guilty.



Prosecution:

My lord the Defendant and Prosecution entered into a Plea Bargain Agreement dated 11th day of June 2021 filed 15th day of June 2021.

We urge the Court to convict the Defendant in terms of the Plea Bargain.

Defendant's counsel:

We wish to humbly urge the Court to review the Plea Bargain Agreement with respect to Clause 2 of the Agreement on Prison without option of fine.

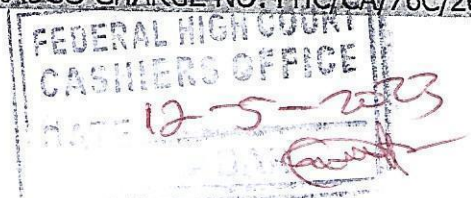
Court to Defendant:

Did you willingly enter into a Plea Bargain agreement?

Defendant: Yes, my lord. We did.

Court:

In view of the fact that the Defendant willingly entered into the Plea Bargain Agreement filed the 16th day of July 2021 and in view of his direct positive and unequivocal plea of guilt, in hereby find the Defendant **Arize Valentine Akparaugo** (AKA YOSHINO KOIKE) guilty as charge.



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FEDERAL HIGH COURT, CALABAR
JOYLYNE LOLE, ESQ.
SENIOR REGISTRAR I

Allocutus:

Counsel to the Convict:

In view of the Plea and Convict, we urge the Court to temper justice with mercy. The Defendant is remorseful, having co-operated with the Prosecution from arrest to arraignment. He is a first time offender and has no known criminal records.

We urge the Court most respectfully to give him an option of fine to serve the society better. We refer the Court to Section 270 (II) (b) of the Administration of Criminal Justice Act. He is only 20 years old and just got admission to Cross River State University of Technology to study Business Administration.

We so urge the Court to temper justice with mercy.

Court to Prosecution: Does the Convict have any known criminal records?

Prosecution: Not in our records in EFCC. We urge the Court to consider the prevalence of crime and the fact that he defrauded up to \$1,000. We urge the Court to send a message they will defer criminal acts. The \$1,000 dollars has been restituted yesterday.

Court:

I have heard the plea for leniency made in regard to the sentence of the Convict as contained in the 2nd arm of the terms agreed by the parties, I have also listened to the statements of the learned prosecuting counsel on the prevalence of this crime among the youths.

In addition, I have taken into consideration the fact that Convict has no known criminal records and therefore judged a first time offender.

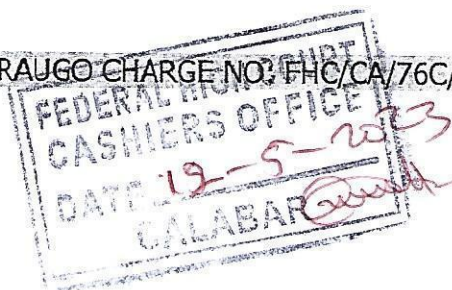
FEDERAL HIGH COURT
CALABAR OFFICE
DATE 12-5-2023
LAGOS

Having given ample consideration to the above and in view of provision in Sections 270 (ii) (b) of the Administration of Criminal Justice Act which gives the Court the liberty to vary the terms of the Agreement where necessary, I hereby accept and adopt the terms of Agreement filed 15th day of June 2021 in the following:

1. The Convict **Arize Valentine Akparaugo (AKA YOSHINO KOIKE)** is sentenced to Six (6) months Imprisonment or to a fine of ₦200,000.00 (Two Hundred Thousand Naira) only.
2. The Convict shall forfeit to the Federal Government of Nigeria the Instruments used in committing the offence being:
 - a. One Iphone II Pro Max
 - b. HP Intel (R) Core laptop.
3. The Convict shall retribute the victim of crime through Economic and Financial Crimes Commission, Uyo office with the sum of One Thousand US Dollars (\$1,000) (Which has already been paid).

In addition

4. The Convict is sentenced to one-month community service at the Federal High Court, Calabar Division and Ministry of Social Welfare Calabar where Convicts shall pick and trash dirt in the premises for one month under supervision of an operative of the Economic and Financial Crimes Commission (EFCC).
5. Convict shall at the end of the community service, enter into an undertaking to be of good behaviour and refrain from any actions that may bring him in conflict with the law.



6. The items of crime mentioned above shall be disposed by public auction and the proceeds shall be paid by Economic and Financial Crimes Commission (EFCC) into the Federal Government coffers.

HONOURABLE JUSTICE IJEOMA L. OJUKWU
JUDGE
22/07/2021

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FEDERAL HIGH COURT, CALABAR
JULIENE LOLE, ESQ.
SENIOR REGISTRAR
12/05/2023

FEDERAL HIGH COURT
CASHERS OFFICE
DATE 12-5-2023
CALABAR

CC of Record of Proceedings/Judgment - A190-00