

**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/61C/21

BETWEEN:

FEDERAL REPUBLIC OF NIGERIA COMPLAINANT

AND

ELEADI GODSPOWER & ANOR

1st Defendant in court, representing the 2nd Defendant

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

Okhuhigbe John for the Defendant

PROSECUTING COUNSEL: We have a charge before the court, we apply that the charge be read to the defendant to take his plea. The 1st defendant is the alter ego of the 2nd defendant.

DEFENDANT COUNSEL: We have no objection.

Defendant in dock, unfettered

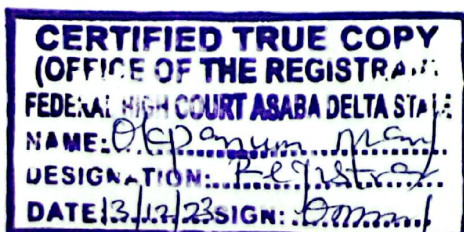
[Defendant read and understand English language]

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

Defendant understands the charge read and pleads as follow:

Defendant pleads guilty to the charge.

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. The court can pronounce sentence without calling for evidence. That is the position of the law,

COURT: Defendant, Are you aware of the plea bargain agreement?

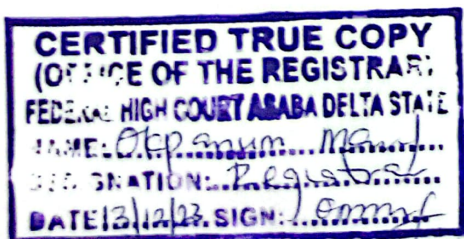
DEFENDANT: Yes My Lord.

COURT: Did you sign voluntarily?

DEFENDANT: Yes My Lord, on my behalf and on behalf of my Company

DEFENDANT COUNSEL: He understand fully the importance of the plea bargain. He has shown remorse My Lord, I was fully involved in the agreement from the beginning.

COURT: I have carefully read the provision of sections 22 [2] [b] [iv] and 27 [1] [b] 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 Act, 2015 which have been commended to the court by learned prosecutor. Having enquired from the 1st defendant himself and the 2nd defendant's company, I am satisfied that he pleaded guilty to the essential element of the offense charged. I am further satisfied that he entered into the plea bargain agreement dated 29th July, 2021 which was filed in this court on 28th October, 2021 voluntarily. Learned



defence counsel has furthermore informed this court that the defendant's plea as well as the process of entering a plea bargain was done on his advice and with his knowledge. In addition to this, so as to satisfy myself that the terms of the plea bargain are fair and just, and should be made the order of this court, I have read through the proof of evidence filed by the prosecution. On the light of the above, I find the 1st and 2nd defendants guilty as charged. They are hereby each sentenced to a term of 5 years in the custody of the Nigeria Correctional Service commencing from today, or in the alternative shall each pay a fine of 1.5 million Naira. It is furthermore ordered that the convict shall forfeit the properties and contents of the bank accounts listed in table one and two of paragraph 3 of the plea bargain agreement to the Federal Government of Nigeria through the EFCC. This order of conviction and forfeiture shall not operate to foreclose EFCC from applying to the court for forfeiture of any other assets or properties subsequently traced to the 1st and 2nd convict as proceeds of the offenses with which they have been charged. Convicted and sentenced, which have not herein been mentioned. The convicts shall make an undertaking to be of good behavior and to cease from the activities which led to the filing of this charge. The fines shall be paid into the account in which fines levied by this court are paid

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



RRR 1504-5465-1623

