

IN THE HIGH COURT OF JUSTICE
EDO STATE OF NIGERIA
IN THE BENIN JUDICIAL DIVISION
HOLDEN AT BENIN CITY
BEFORE HIS LORDSHIP HONOURABLE JUSTICE EFE IKPONMWONBA – JUDGE
ON WEDNESDAY THE 20TH DAY OF JULY, 2022

BETWEEN:

SUIT NO. B/CD/108/22:

F. R. N.

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Complainant

Vs.

Abudu Gentle Osarobo

Defendant

RULING

The Defendant is charged in one count with fraudulent representation contrary to Section 484 of Criminal Code. He pleaded guilty to the charge. The Court is informed that the Defendant entered a Plea Bargain Agreement with the Commission dated 6/7/2022 of his volition.

Learned Counsel in pleading for the Defendant has informed Court that he is remorseful and ready to turn a new leaf. He urges the Court to be lenient and give the Defendant a non custodial sentence.

In sentencing the Defendant, I have taken into consideration the fact that he has pleaded guilty and saved the Court time it would have spent trying the charge. The Court has also taken into consideration the Plea Bargain Agreement and the plea of Learned Counsel.

Recognizing that this Court is not bound by the recommendation in the Plea Bargain Agreement, I have examined the Plea Bargain Agreement dated 6/7/2022 and I find it acceptable.

Accordingly the Defendant is sentenced to a term of three years or pay a fine of N500,000. 00 (Five Hundred Thousand Naira) only.

The Defendant shall forfeit the following:-

- (1) The balance of N2,200,827.05 in his Sterling Bank Account No. 0073728840.
- (2) The balance of N725,209.47 in his company account (Edorisigbon Allied business account) in Sterling Bank Account No. 0075278844 and that account is ordered to be permanently closed.
- (3) The balance of N30,753.78 in his business account in Sterling bank Account No. 00695562051 and that account is ordered to be permanently closed.
- (4) The balance of the sum of N4,968,731.24 in his First bank Account No. 3076799614 and that account is to be permanently closed.
- (5) The balance of the sum of N40,397,95 in Sterling Bank Account No. 0075780091 and that account is to be permanently closed to the Federal Government of Nigeria through the EFCC applying same to retribute the known victims of the crime.

The Defendant shall forfeit all the properties agreed to in the Plea Bargain Agreement dated 6/7/2022 contained in paragraph 11.

Ⓢ) The Defendant will enter a written undertaking to be of good conduct and desist from such fraudulent acts going forward. His passport photograph is to be attached thereto.



EFE IKPONMWONBA
JUDGE