

IN THE FEDERAL HIGH COURT OF NIGERIA
IN THE BAUCHI JUDICIAL DIVISION
HOLDEN AT BAUCHI

CHARGE
SUIT NO. FC/Ba/CR/76/2022

BETWEEN

THE STATE.....COMPLAINANT
AND
1. MUFTAU KAZEEM
2. DORIS BULUS.....ACCUSED PERSONS

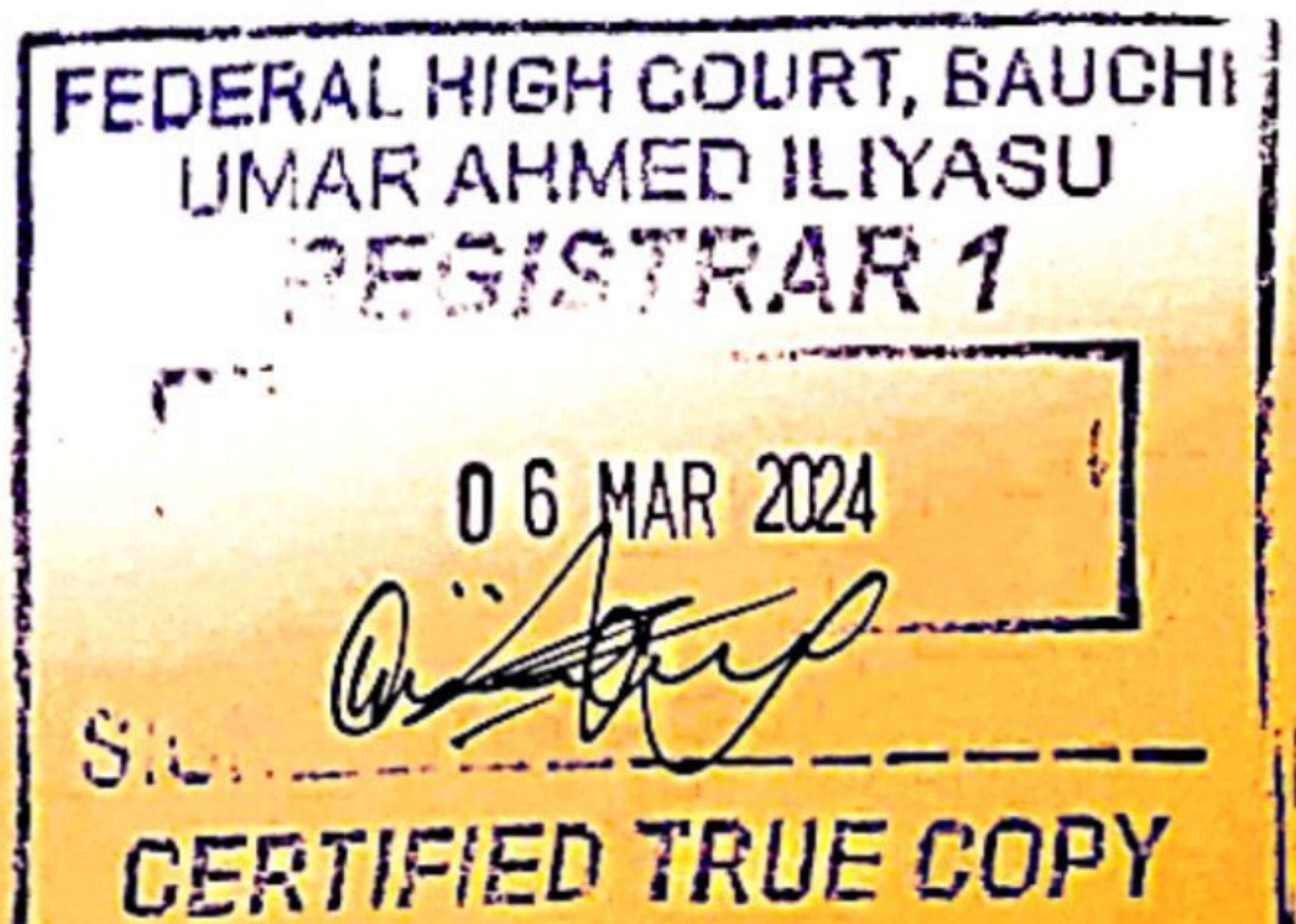
THE CHARGE

Count One

That you MUFTAU KAZEEM "M" of No 2 old Dass Park Bauchi, Bauchi L.G.A of Bauchi State and DORIS BULUS 'F' of No. B Gidan Shanu, Rafin Zurfi, Bauchi LGA, Bauchi State on 7th April, 2022 at about 1230hrs within the jurisdiction of this Honorable Court you Criminally Conspired and manipulate the ATM in your P O S Terminal of one Sidi Mohammed Hamidu 'M' of Nigerian Correctional Service Bauchi LGA, Bauchi State, through his account Number 3110673036 domiciled with First Bank and thereby committed an offence of Criminal Conspiracy contrary to Section 27 of Cyber Crimes (Prohibition, Prevention etc.) Act, 2015 and triable by this Hon Court.

Count Two

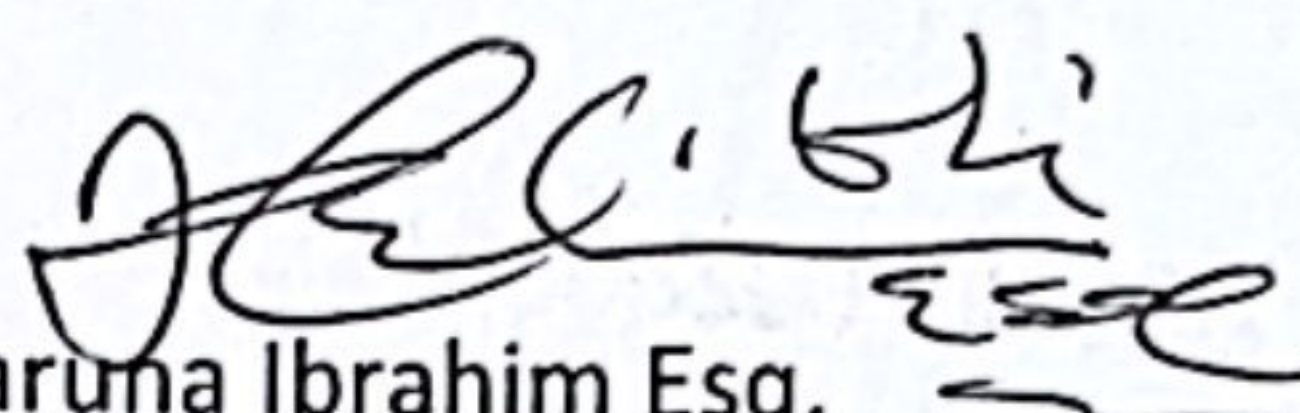
That you MUFTAU KAZEEM "M" of No 2 old Dass Park Bauchi, Bauchi L.G.A of Bauchi State and DORIS BULUS 'F' of No. B Gidan Shanu, Rafin Zurfi, Bauchi LGA, Bauchi State on 7th April, 2022 at about 1230hrs within the jurisdiction of this Honorable Court, one Sidi Mohammed Hamidu 'M' of Nigerian Correctional Service Bauchi LGA, Bauchi State, lost his ATM Card of First Bank with account Number 3110673036 bearing his name between Access Bank to Government House Bauchi, when he discovered he quickly rushed to First Bank to block the ATM, while he was at the First Bank he started receiving debit alert of N341,500,00 with his ATM Card

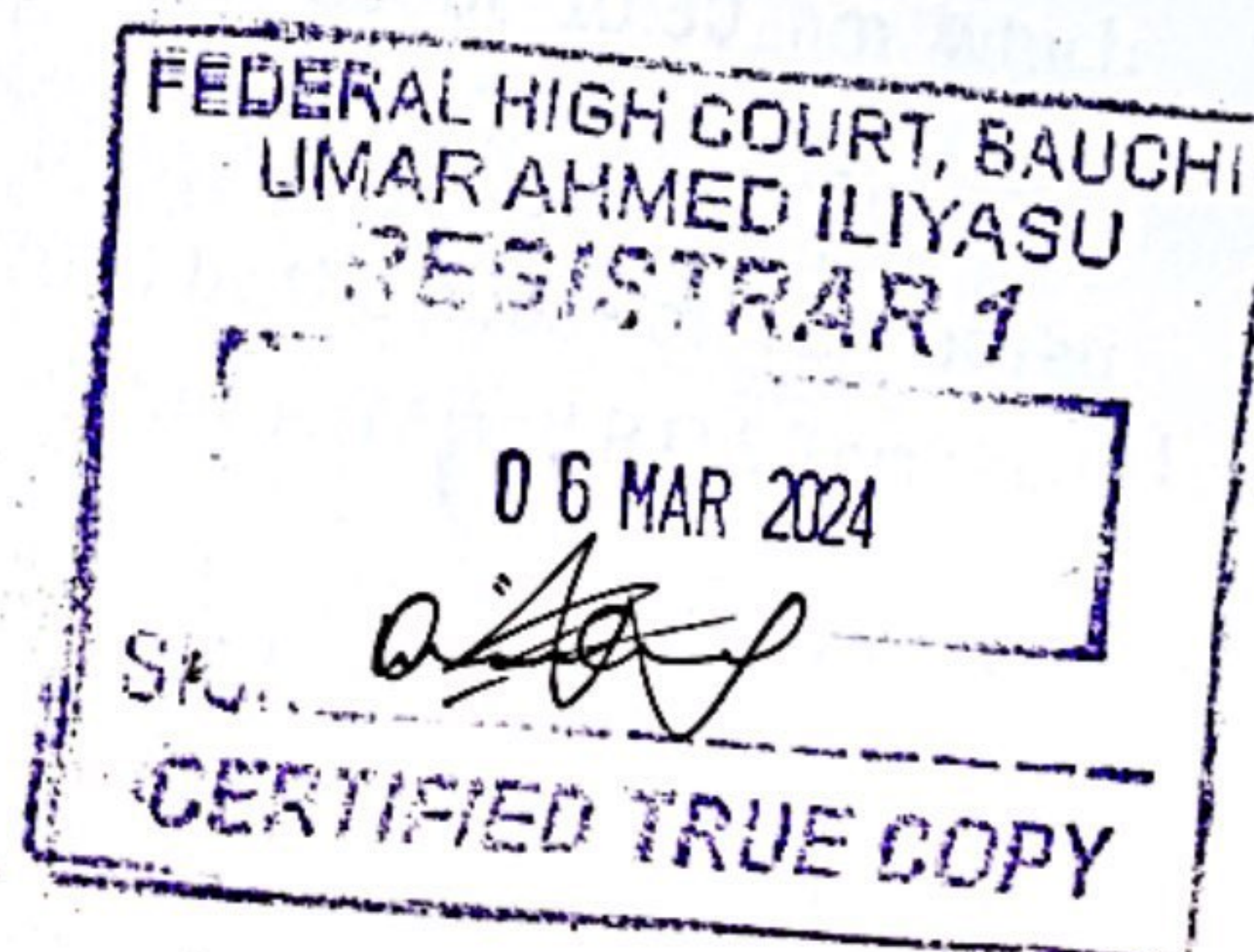


(3)

and account Number 3041749833 Rolex micro finance Bank bearing Albaraq Series Service Limited being business name of Muftau Kazeem was credited through moniepoint P O S Terminal with code number 207023FR operated by one Doris Gulus and thereby committed an offence of Manipulation of ATM and P O S Terminal Contrary to Section 30 of Cyber Crimes (Prohibition, Prevention etc.) Act, 2015 and triable by this court.

Dated this 5th day of September, 2022

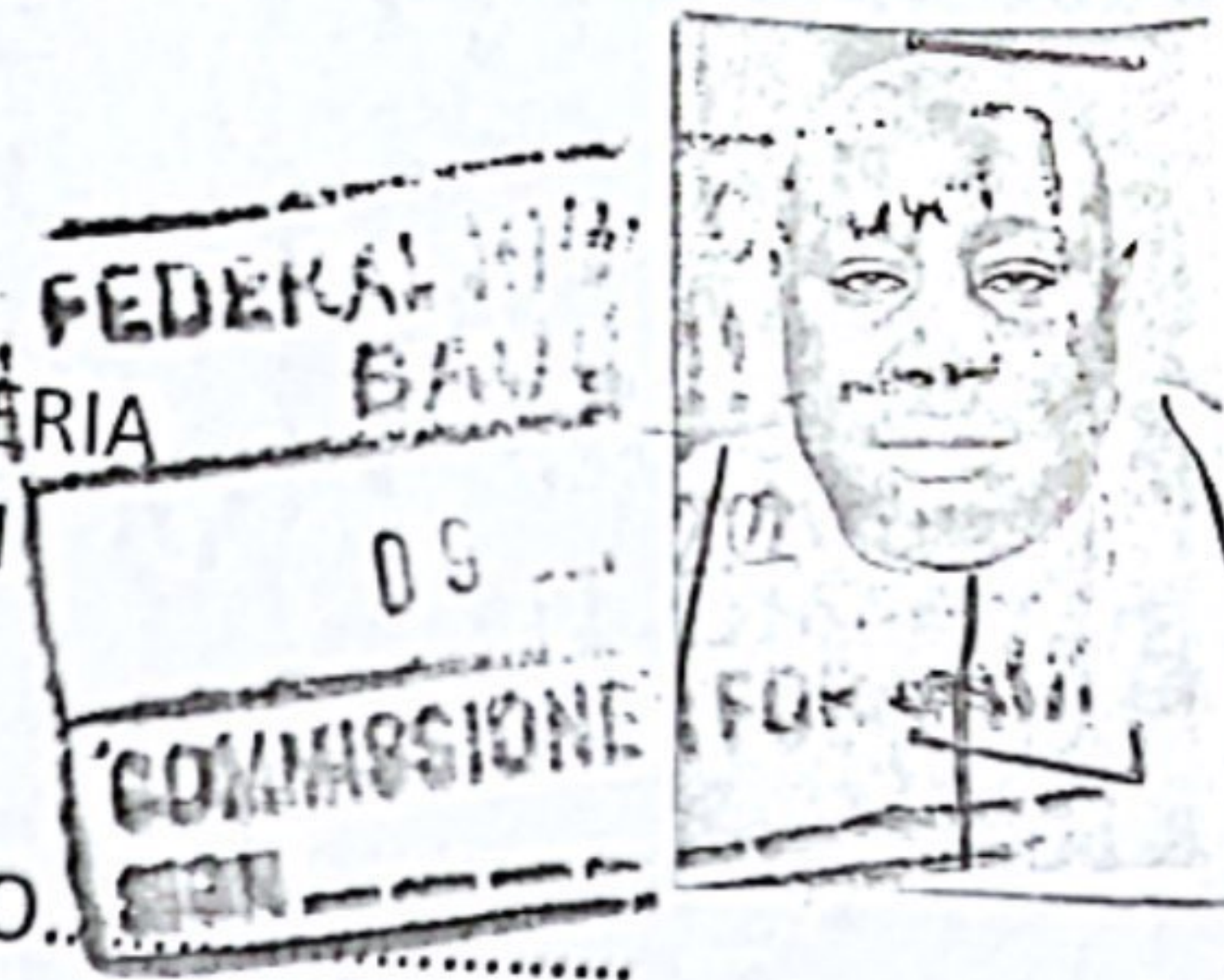

Haruna Ibrahim Esq.
Ag Director Citizen Right



(C)

IN THE FEDERAL HIGH COURT OF NIGERIA
IN THE BAUCHI JUDICIAL DIVISION
HOLDEN AT BAUCHI

SUIT NO.



BETWEEN
THE STATE.....COMPLAINANT
AND
1. MUFTAU KAZEEM
2. DORIS BULUS.....ACCUSED PERSONS

AFFIDAVIT IN SUPPORT

I Haruna Ibrahim male, Muslim, Nigerian, a Legal Practitioner in the chamber of Hon. Attorney General, Ministry of justice Bauchi do hereby make an oath and states as follows:-

1. That I am a legal practitioner in the chambers of Hon. Attorney General, Ministry of Justice Bauchi by virtue of which I am conversant with the facts of this case.
2. That I have the consent and authority of my employer and the complainant to deposed to this affidavit.
3. That I was informed by Haruna Ibrahim Esq. the prosecution while being briefed by the IPO in his office on 5th September, 2022, at about 10:30 am which information I verily believe to be true.
4. That the accused persons were invited on 8/5/2019 by the police officers based on the complaint of criminal conspiracy and manipulating ATM and P O S Terminal.
5. That investigation into the matter has been concluded and the case file was sent to Ministry of Justice for prosecution.
6. That the accused persons admit commission of the alleged offences.
8. That base on the investigation there exist a prima facie case against the accused persons

FEDERAL HIGH COURT, BAUCHI
UMAR AHMED ILIYASU
REGISTRAR 1

06 MAR 2024

(8)

That the statements of evidence in this suit is attached to this application as exhibits.

10. That the prosecution undertakes to prosecute their case diligently.

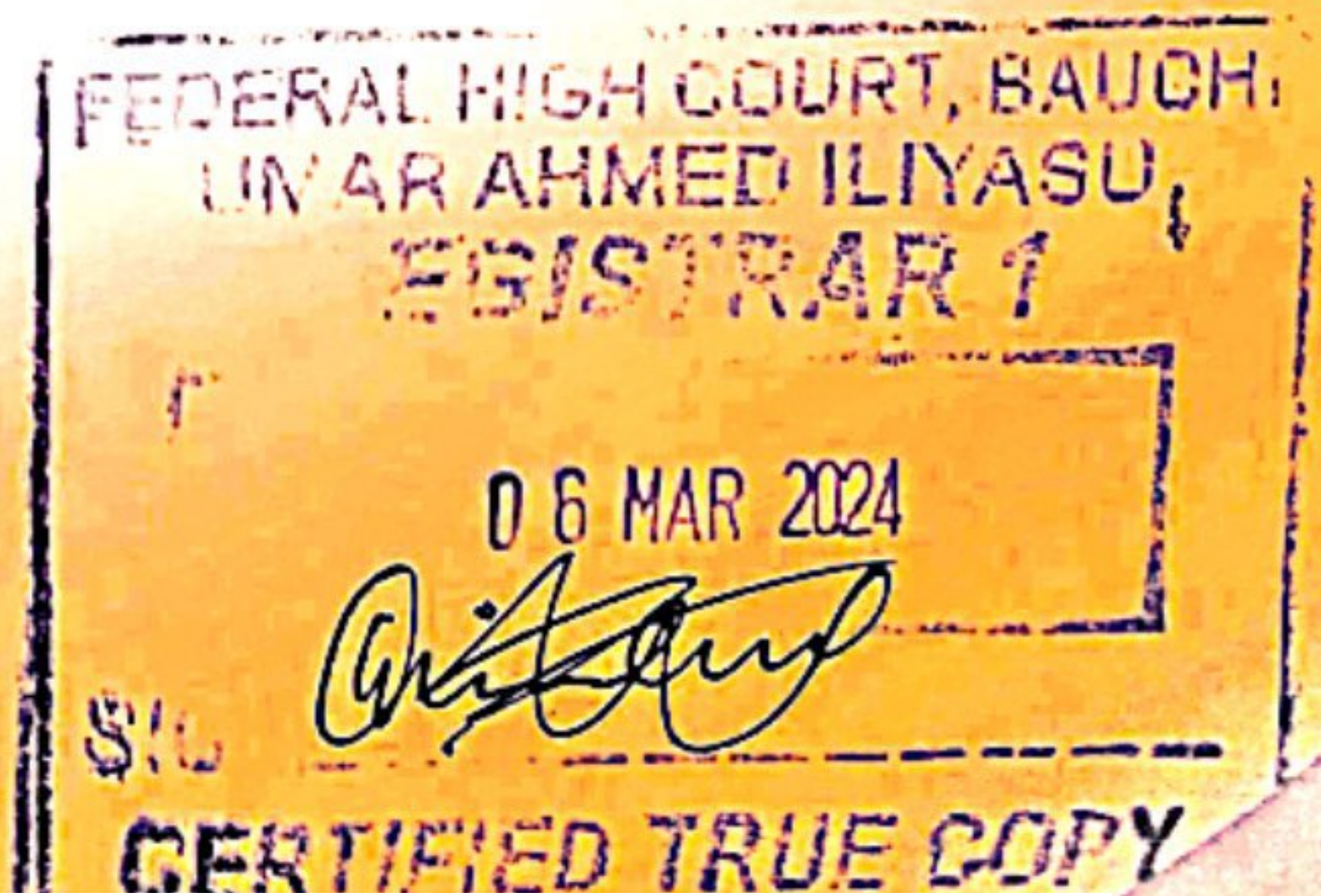
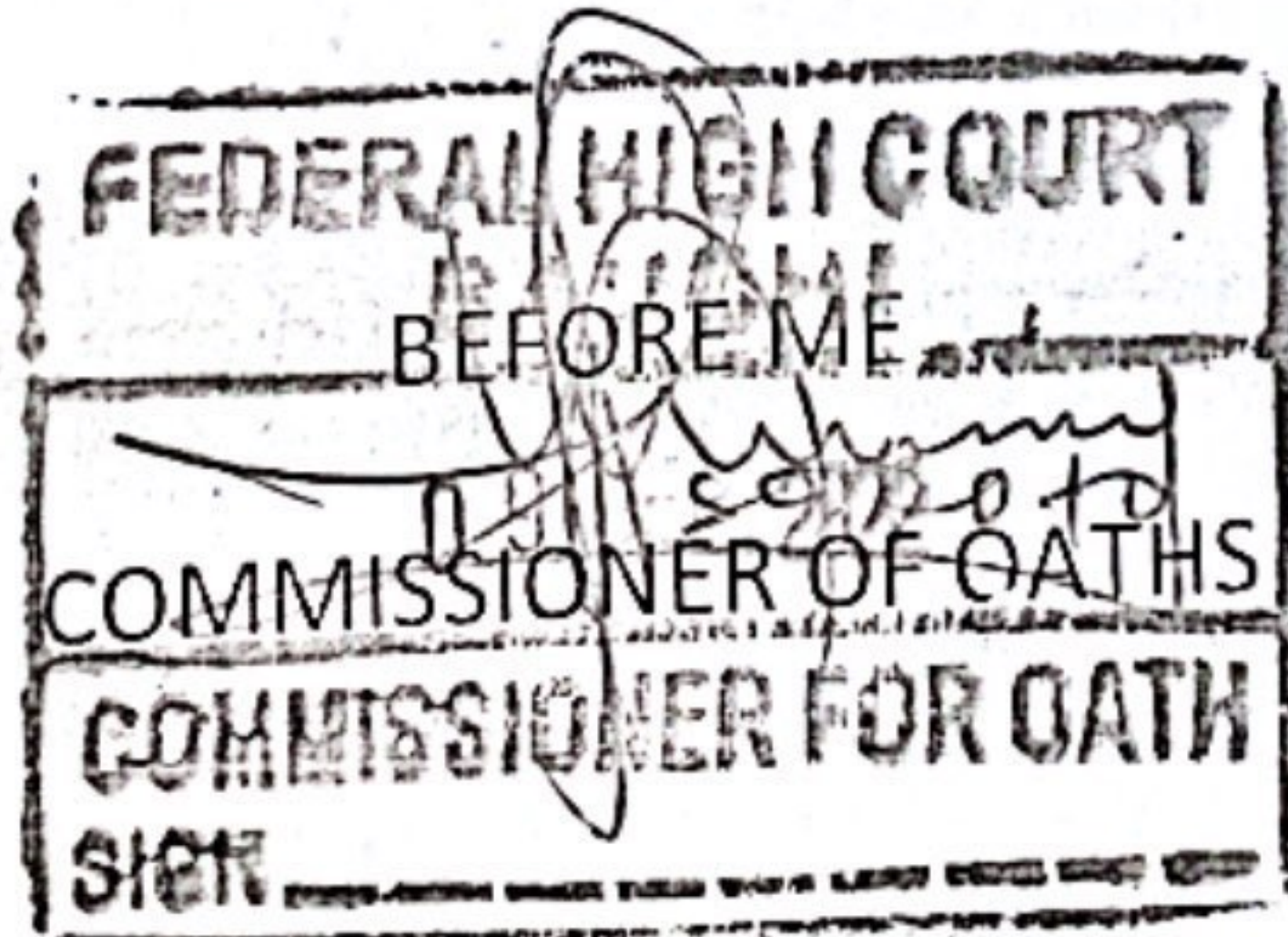
11. That it is in the interest of justice to grant this application.

12. That I swear to this application in good faith and in accordance with Oath Act 2004.


DEPONENT

SWORN TO AT THE FEDERAL HIGH COURT OF NIGERIA REGISTRY, BAUCHI.

Dated this 9th day of September, 2022



IN THE FEDERAL HIGH COURT OF NIGERIA

IN THE BAUCHI JUDICIAL DIVISION

HOLDEN AT BAUCHI

ON THURSDAY THE 9TH DAY OF NOVEMBER, 2020

BEFORE HIS LORDSHIP

HON. JUSTICE MUSA S. LIMAN

SUIT NO. FHC/BAU/CR/03/2020

BETWEEN

THE STATE-----COMPLAINANT

AND

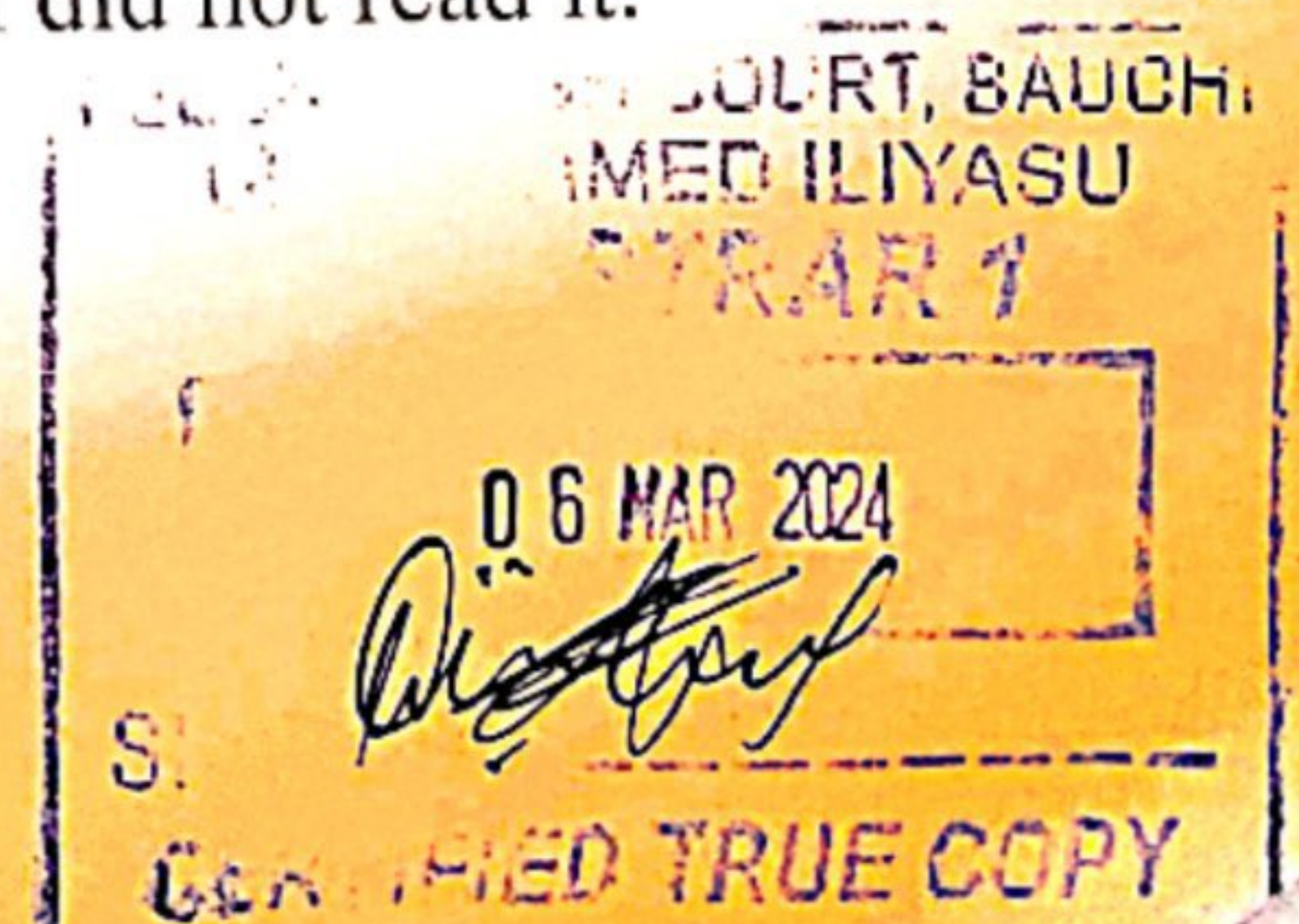
MUFTAU KAZEEM-----DEFENDANT

Defendant present, speak and understand English Language.

No representation for prosecution, Ambima Likita for the Defendants.

Likita – The matter is slated for hearing today and the prosecution counsel is not in court.

Registrar – The prosecution send a letter but I did not read it.



Likita – We would be applying be struck out for want of diligent prosecution and the has been on since August, 2023 and they have not brought a single witness and they are aware of today's date. We urge the court to strike out the case and discharge the defendants and anytime the prosecution is ready, the can come back.

RULING

Indeed the case was instituted in this court since September, 2022 and there have been not less than 7 adjournments so far and no hearing has commenced, thought the Registrar all alluded to a letter brought by the prosecution, the content is not known to her. The court cannot speculate on the contents of a letter not seen by the court. Several adjournments without any motion is an indication of non-diligence. In the ensuing circumstances, I shall grant the application by the Defendant's counsel consequently the charge sheet dated 5th September, 2023 is hereby struck out and the defendants are hereby discharged.

SGD

JUDGE

9/11/2023

