

**IN THE FEDERAL HIGH COURT OF NIGERIA**  
**IN THE ASABA JUDICIAL DIVISION**  
**HOLDEN AT ASABA**  
**ON FRIDAY THE 7<sup>TH</sup> DAY OF JUNE, 2019**  
**BEFORE HIS LORDSHIP, HON. JUSTICE DR. NNAMDI O. DIMGBA**  
**JUDGE**

CHARGENO: FHC/ASB/CR/47C/19

**BETWEEN:**

**FEDERAL REPUBLIC OF NIGERIA .....COMPLAINANT**

**AND**

**BALOGUN OGOOLUWA .....DEFENDANT**

**JUDGMENT**

On the basis of a plea bargain agreement dated 06/06/2019 but filed 07/06/2019, between the Federal Republic of Nigeria (Complainant), (represented by the Economic and Financial Crimes Commission (EFCC) and Balogun Ogooluwa (Defendant), the Charge against the Defendant is dated 06/06/2019 but filed 07/06/2019 and alleges as follows:

*That you Balogun Ogooluwa on the 19<sup>th</sup> May 2019 at Escravos, Delta State within the jurisdiction of this Honourable Court did without lawful authority and appropriate license deal in petroleum product to wit:*



*storage and distribution of over 80,000 liters of Automotive Gas Oil (AGO) in large wooden (Cotonuo) Boat which you about to bunker into motor Vessel NIPAL at Escravos contrary to section 4(1) of the Petroleum Act Cap P10 Laws of the Federation of Nigeria (Revised Edition) 2004 and punishable under section 4 (6) of the same Act.*

On the 07/06/2019 the Defendant was arraigned and a plea was taken with the Defendant pleading guilty to the one count charge. The matter progressed to hearing, the Prosecution in an effort to prove that the Defendant committed the offence alleged despite his plea called one witness, **Richard Ogberagha (PW1)** who after the administration of oath testified to the Defendant's arrest and all the effort and steps taken by the Economic and Financial Crimes Commission (EFCC) following the Defendant's apprehension to establish the crime. The learned counsel to the Prosecution urged the Court to convict the Defendant based on his plea of guilt, and to impose the penalty agreed upon by the parties in the plea bargain agreement in line with Section 4 (6) Petroleum Act.

On the strength of the plea bargain agreement dated 06/06/2019 but filed on 07/06/2019, as well as the plea of guilty of the Defendant, I hereby convict the Defendant as





charged and pronounce him guilty of the one count charge preferred against him.

**SENTENCE**

In view of the plea agreement which terms I am satisfied with, I hereby sentence the convict to 6 months imprisonment with effect from today and a fine of N200,000.00 (Two Hundred Thousand Naira) only.



**NNAMDI O. DIMGBA**

**JUDGE**

**07/06/2019**

Parties: Defendant in Court.

Appearances: **L.P. Aso Esq,** with **V.O. Agboje Esq, I. Ilodi Esq** for the Prosecution.

**P.E. Ejiga Esq,** with **O. J. Odigie Esq** for the Defendant.



*RRR 2510-2116-24*

