

IN THE HIGH COURT OF JUSTICE OF BAUCHI STATE
IN THE HIGH COURT NO. 3 OF BAUCHI STATE JUDICIARY
HOLDEN AT BAUCHI
BEFORE HIS LORDSHIP HON. JUSTICE M. A. SAMBO (JUDGE)

BETWEEN:

BA/30/2024

FEDERAL REPUBLIC OF NIGERIA.....

COMPLAINANT

AND

JOHN YAKUBU.....

DEFENDANT

15/3/2024

Defendant present in Court.

A. B. Kware for the prosecution.

M. K. Okuma for the Defendant.

Kware – The matter is for the arraignment of the Defendant and it is a one count charge against the Defendant which have been duly served on him, we are ready to proceed.

Okuma – I am ready.

Kware – Before the Court is a one count charge dated 6/3/2024 filed on 11/3/2024. It is accompanied with a list of document, list of witnesses, written case summary, summary statement of witnesses, copies of listed documents. I apply that the said charge be accepted as the formal charge before the Court and to order same to be read and explained to the Defendant for his plea taking.

Okuma – No objection.

Court:-

This is a lone count charged filed against the Defendant which was accompanied by the relevant writing documents. After I have listened to the prosecuting counsel and having also earlier read the entire process, same having satisfied the law and has merit is accepted as the substantive charge against the defendant.

I order same to be read and explained to the Defendant in a language he understands.

Court – what language do you speak and understands?

Defendant – English.

Court – Read out the charge to the Defendant and explained same to the Defendant.



Court – the charge is duly read and explained to the Defendant.

Court – Have you understood the charge just read out to you and explained?

Defendant – Yes I do understand the charge.

Court – Are you guilty or not guilty of the charge?

Defendant – I am guilty of the charge.

Kware – Since the Defendant have pleaded guilty to the lone charge, I apply that he be summarily convicted.

Court – Do you know the legal implication of you pleading guilty?

Defendant – Yes I know, it is punishment.

Okuma – On behalf of the Defendant who have not wasted the time of the Court he have a son with an aged mother he was newly introduce into this act. He is a Berber by trade and his fully relied on the parent on the trade, he is a 1st time offender, we urged the Court to temper Justice with Marcy while him as he have learn his lesson having spent some days in detention and have promise me to be a good man. We urged the Court for it lenient in the spirit of Remand by asking him to go home and say no more.

Kware – the Defendant is a 1st time offender, we have no record of previous conviction against him and we hold no objection to the Court to temper Justice with Marcy. However in the course of investigation a phone was seized in which the act was traced and confirmed by the investigators. I apply that the said phone be forfeited to the Federal Government of Nigeria. So as to serve as a deterrent against any future like act as he have promise not to engage in that act again. We intent to return to him the itel phone as nothing incriminating was found in it.

Okuma – No objection.

COURT FINDING:

After the Defendant have pleaded guilty to the lone charge. I do hereby find him guilty as charge for the offence of cheating by personation punishable by section 324 of the 2022 Penal Code Law of Bauchi State.

COURT SENTENCE:

After the plea of guilty by the Defendant upon which this Court found him guilty as charged, and upon a plea of Allocutus by his counsel who said a lot of the convict which were not denied by the counsel for the prosecution particularly as 1st time offender and having considered said plea by M. K. Okuma, I hereby sentence the convict to pay a fine of N500, 000 only or to serve a prison term of 8 years in the event he does not pay the fine.

I also order that the phone received from the Defendant I phone XR which was found to have been used in that for the alleged act what which the Defendant is found guilty be and is hereby forfeited to the Federal Government of Nigeria this will serve as a lesson to others and same cannot be used by the convict any more. However the harmless itel phone be return to the convict.

SIGNED
HON. JUSTICE M. A. SAMBO
JUDGE
15/3/2024

CERTIFIED TRUE COPY
ADAMU GARBA GITAL
ASST. CHIEF REGISTRAR

