

IN THE HIGH COURT OF SOKOTO STATE
IN THE SOKOTO JUDICIAL DIVISION
HOLDEN AT SOKOTO

CHARGE NO.....

SR/157/2024

BETWEEN:

FEDERAL REPUBLIC OF NIGERIA.....COMPLAINANT

VS.

1. SALMANU BELLO

2. SAMIRU BELLO

DEFENDANTS

CHARGE

COUNT ONE

That you **SALMANU BELLO** while being a banker at the United Bank for Africa Plc, Aliyu Jodi branch, Sokoto and **SAMIRU BELLO** on the 23rd day of March, 2023 in Sokoto, within the Judicial Division of the High Court of Justice; Sokoto State, dishonestly moved the sum of Sixty Thousand Naira (N60,000.00) from the account of Sumaiya Salihu, without the consent of Sumaiya Salihu and you thereby committed an offence of Theft, contrary to Section 274 of the Sokoto State Penal Code Law, 2019 and punishable under Section 275 of the same Law.

Dated this..... day of July, 2024.

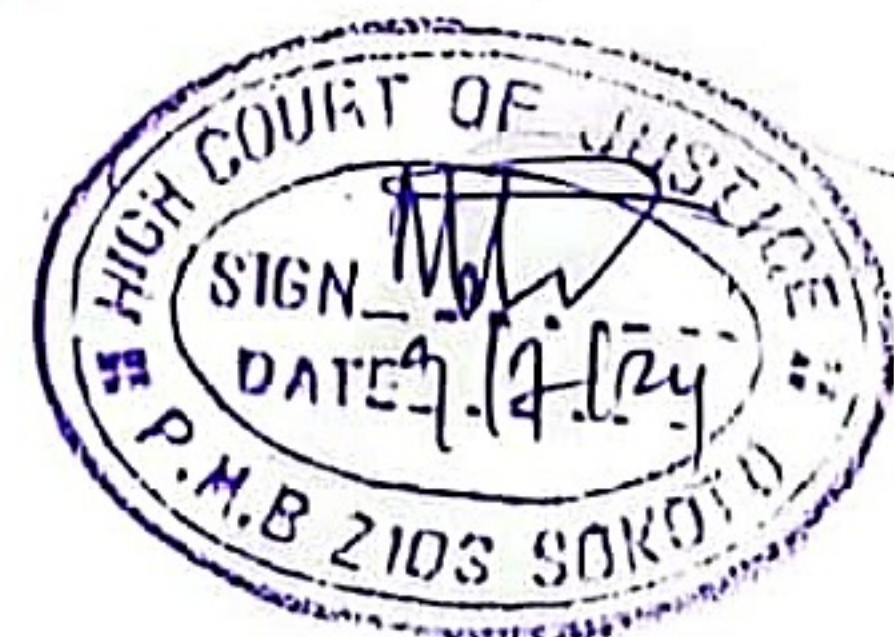


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ALIYU BOKANI USMAN, ESQ
HABILA JONATHAN, ESQ
KUFRE EKPENYONG UDUAK, ESQ
(COMPLAINANT COUNSEL)

ECONOMIC AND FINANCIAL CRIMES COMMISSION
NO. 7 SUPER QUARTERS ROAD, OFF TSAFE ROAD G.R.A, SOKOTO

FOR SERVICE ON
THE DEFENDANT

fees waived



IN THE HIGH COURT OF JUSTICE SOKOTO STATE
IN THE SOKOTO JUDICIAL DIVISION
HOLDEN AT SOKOTO
ON THURSDAY 25TH DAY OF JULY, 2024
BEFORE HIS LORDSHIP
HON. JUSTICE MOH'D ALIYU SAMBO (JUDGE)

SUIT NO: SS/157^c/2024

BETWEEN:

FEDERAL REPUBLIC OF NIGERIA.....COMPLAINANT

VS

1. SALMANU BELLO

2. SAMIRU BELLO

}

.....DEFENDANTS

JUDGEMENT

The defendants, Salmanu Bello and Samiru Bello were arraigned before this court with a sole count charge of theft, contrary to section 274 and punishable under section 275 of the sokoto state penal code Law 2019. The defendants pleaded guilty to the sole count charge, and the prosecuting counsel applied to the court to summarily try, convict and sentence the defendants accordingly. The learned prosecution counsel equally submitted that, the plea of guilt by the defendants was sequel to a plea bargain entered into between the defendants and the prosecution. He therefore urge the court while giving effect to it, sentence the defendants to a fine of five Thousand Naira (N5,000) each, or one year imprisonment in lieu of the fine.

The Respondent's counsel, Mr. Reuben Yahaya Esq had no objection to the summary trial, conviction and the sentence of the

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defendants as explained by the learned prosecution counsel, he equally urged the court to give life to the plea bargain agreement. I have carefully considered the plea of the defendants and the submissions of the respective counsels, and the provision of sections 273(1) of the sokoto state Administration of criminal Justice Law 2019 that provides that:

- (1) Where a defendant pleaded guilty to an offence with which he is charged, the court shall (a) record his plea as nearly as possible (b) write the prosecution to state the fact of the case, and (c) enquire from the defendant whether his plea of guilty is to the facts as stated by the prosecution.

Equally, the said section 275 provides at (2) Thereof; that:

“Where the court is satisfied that the defendant intends to admit the truth of the essential elements of the offence for which he has pleaded guilty, the court shall convict and sentence him or make such order as may be necessary, unless there shall appear sufficient reason to the contrary.

I equally rely on section 269 of the S.S.C.J.L 2019 and the case of Chief Emmanuel Nwude Vs Federal Republic of Nigeria & others (2015) LPELR-25858 (CA).

In view of that, and having become satisfied that the plea of guilt by the defendants were after the satisfaction of all the requirements of the above provisions, coupled with the

submissions of both learned counsels, I hereby convict the defendants with the sole charge of theft contrary to section 247 of the sokoto state penal code Law 2019.

In view of the submission of the prosecution counsels for the defendants to be sentenced to a fine of Five thousand Naira each or one Year imprisonment in lieu of fine, I found the stated amount of fine as agreed by the parties to be somehow ridiculous looking at the reality of our time. I therefore increases the fine to fifty thousand Naira or one year imprisonment in lieu of the fine, pursuant to section 269 (11) (c) of the Sokoto State Administration of Criminal Justice Law 2019.

There is equally an order against the defendants for the restitution of the sum of Sixty thousand Naira to the victim of the offence in addition to the sentence.

(SGD)
Judge
22/07/2024

COUNSELS:

Y. K Saidu for the prosecution.

Reuben Yahaya for the defendants.

IN THE HIGH COURT OF SOKOTO STATE OF NIGERIA
IN THE SOKOTO JUDICIAL DIVISION
HOLDEN AT SOKOTO

CHARGE NO:

BETWEEN

FEDERAL REPUBLIC OF NIGERIA.....COMPLAINANT

AND

1. SALMANU BELLO }DEFENDANTS
2. SAMIRU BELLO }

PLEA BARGAIN AGREEMENT PURSUANT TO SECTION 269(1)
(a),(2)(b)(C),(3)(4)(a),(5)(a&b)(5)(B)(i,ii,iii,iv,viii,ix) (6)(a)(7) OF THE
SOKOTO STATE ADMINISTRATION OF CRIMINAL JUSTICE
LAW, 2019 AND INHERENT JURISDICTION OF THIS
HONOURABLE COURT

This Plea Bargain Agreement is made this 5th day of July 2024, pursuant to the afore cited provisions of Section 269 of the Sokoto State Administration of Criminal Justice Law 2019, and under the Inherent Jurisdiction of this Honourable Court; Between the **FEDERAL REPUBLIC OF NIGERIA**, being the Complainant in this case and **SALMANU BELLO** with **SAMIRU BELLO** being the 1st and 2nd Defendants respectively.

WHEREAS: the Defendants are charged on a One (1) counts bordering on the offence of Theft contrary to Section 274 of the Sokoto State Penal Code Law, 2019 and punishable under Section 275 of the same Law.

WHEREAS: the Defendants have been investigated by the Economic and Financial Crimes Commission for the offences of Theft wherein the defendants having been shown the proof of evidence elicited from the investigation have voluntarily confessed and admitted to have committed the offences charged against them.

PROSECUTING COUNSELS

NAME: Ahmed Barani Usman

ADDRESS: EFCC & F.P. Dept, Sokoto D.C

SIGNATURE: [Signature]

DATE: _____

INVESTIGATION OFFICER

NAME: AMINU NSUF

ADDRESS: EFCC, 7, SUPER QTR OFF SAMA RD SOKOTO

SIGNATURE: [Signature]

DATE: 5/7/24

DEFENDANT

NAME: ^① SAMIDU BELLO

^② SHIMANU BELLO

ADDRESS: Old Airport - Sokoto Kalfu Aves Sokoto

SIGNATURE: [Signature]

Bello

DATE: 5/7/24

5/7/24

DEFENCE COUNSEL

NAME: SHAMSU - A DAUDA

ADDRESS: ARKULA GANDU AREA, OFF KIMMAKKA ROAD AXOFO

SIGNATURE: [Signature]

DATE: 5/7/2024

Dated this 5th day of July, 2024.