

IN THE HIGH COURT OF THE FEDERAL CAPITAL TERRITORY
IN THE ABUJA JUDICIAL DIVISION
HOLDEN AT GUDU - ABUJA
ON WEDNESDAY THE 17TH DAY OF FEBRUARY 2021.
BEFORE HIS LORDSHIP; HON. JUSTICE MODUPE R. OSHO-ADEBIYI
SUIT NO. CR/926/2020

COMMISSIONER OF POLICE ----- COMPLAINANT

AND

- 1. MASAUDU BALA**
- 2. ADO MATI**
- 3. HALIDU IBRAHIM-----DEFENDANTS/APPLICANTS**
- 4. ABUBAKAR. JAFARU**
- 5. ABDULLAHI MUSA**

RULING

I have considered the applicants' motion, affidavit and written address. The question to be determined is whether or not the Applicants have made out a case to justify the variation of the bail conditions granted by this court in favour of the Applicant.

The application is seeking for the Court to vary the bail condition to any reasonable surety resident within the jurisdiction of this Court. I have considered the prayer sought by the Applicants. It is pertinent to note at this point that the offences for which the Defendants are charged are conspiracy and culpable homicide, which offence is not only punishable with death, but it is not ordinarily a bailable offence. Section 167 (1) of Administration of Criminal Justice Act 2015 requires the Court to grant bail on the term that the defendant is to produce such surety whom in its position will be sufficient to ensure the appearance of the Defendant

in Court as and when required. The conditions of bail granted by this Court is in my view, reasonable and will of necessity suffice and serve to ensure the sureties produce the Defendants in court as and when required.

This court is circumspect to vary the bail conditions, consequently, this application is hereby refused.

Parties: Defendants present.

Appearances: Fatima Shehu, Esq., for the Defendants. Prosecution not represented

**HON. JUSTICE MODUPE R. OSHO-ADEBIYI
JUDGE
17TH FEBRUARY 2021**