

**IN THE HIGH COURT OF THE FEDERAL CAPITAL TERRITORY**

**IN THE ABUJA JUDICIAL DIVISION**

**HOLDEN AT MAITAMA**

**BEFORE HIS LORDSHIP: HON. JUSTICE Y. HALILU**  
**COURT CLERKS : JANET O. ODAH & ORS**  
**COURT NUMBER : HIGH COURT NO. 24**  
**CASE NUMBER : CHARGE NO: CR/547/19**  
**DATE: : MONDAY 24<sup>TH</sup> FEBRUARY, 2020**

**BETWEEN:**

**COMMISSIONER OF POLICE ..... COMPLAINANT**

**AND**

**MR. CHARLES ASIEGBO CHINEDU ..... DEFENDANT**

## **RULING**

Bail is constitutional right of accused person in view of the provision of the same constitution which is in favour of a named accused person i.e section 36(5) of the 1999 Constitution of Federal Republic of Nigeria.

The essence of Bail cannot be over emphasized. It is meant to grant liberty to a named accused person to attend his trial from the comfort of his house with a firm understanding that such an accused person shall not jump bail thereby making Bail contractual in nature.

Even though some offences are not ordinary bailable, courts over the years have granted bail to suspects of treasonable offences. I refer to ***FRN VS DOKUBO AND FRN VS ABIOLA***.

I have gone through the charge before me. I make bold to say it isn't that of the highest offence known to our laws. May I observe that prosecution which was duly served the said application, did not file counter affidavit and upon being asked, Ijagbemi of counsel confirmed he was not opposing the application for Bail. Regardless of the reaction of prosecution counsel, Bail is always at the discretion of the court to grant or refused to grant depending on the circumstance.

I am fortified by the content of the affidavit in support of the application to admit the accused person to Bail on the following conditions.

1. Accused shall provide two sureties who must be Director in federal Civil Service and working in Abuja with evidence of first and last promotion.

2. The two sureties must make a written undertaking to produce the said accused person in court throughout hearing.
3. They shall post a bond of N10,000,000.00 (Ten Million Naira) each to that respect.

Accused shall be remanded in Suleja Correctional Service Facility until perfection of the condition.

*Justice Y. Halilu*  
*Hon. Judge*  
*24<sup>th</sup> February,*  
*2020*

## ***APPEARANCE***

John Ijagbemi – for the Prosecution.

G.T Adegbite – for the Defendant.