

IN THE HIGH COURT OF THE FEDERAL CAPITAL TERRITORY

IN THE ABUJA JUDICIAL DIVISION

HOLDEN AT APO

CLERK: CHARITY

COURT NO. 16

SUIT NO: FCT/HC/CR/32/19

DATE: 13-5-2020

BETWEEN:

COMMISSIONER OF POLICE..... COMPLAINANT/RESPONDENT

AND

IBRAHIM KHALID & 59 ORS..... DEFENDANTS/APPLICANTS

RULING

(DELIVERED BY HON. JUSTICE S. B. BELGORE

This Ruling concerns the bail applications of three Defendants among the 60 Defendants that are standing trial in this court for various offences ranging from culpable homicide punishable with death, criminal conspiracy, disturbance of public peace.

The 3 applicants are Mohammed Mohammed (37th Defendant), Imran Ayuba (40th Defendant) and Mohammed kamisu (the 46th Defendant). They have all filed motion on Notice i.e. M/4222/20, M/4225/20 and M/4231/20 respectively.

In the support of M/4222/20 is 6-paragraphs and another 6-paragraphs further affidavits, there is also a written address.

In support of M/4225/20, is a 6 paragraphs affidavit and a further affidavit of 10 paragraphs.

With respect to M/4231/20, a 6-paragraph affidavit in support and a further affidavit of 11-paragraphs.

A short while ago, the learned counsel to the 3 applicants Dakum Esq. moved the application summarily. He urged the Court to grant the application.

In a swift response the learned prosecuting counsel Simon Lough (ACP) did not object to the application.

I have considered this application.

The prosecution had earlier exhibited and tendered Medical Report in respect of the 3 applicants. I admitted it as exhibit "A".

I have perused the content of the Medical Report and come to the irresistible conclusion that the applicants require urgent Medical/Surgical attention.

Therefore, the bail applications of the 3 applicants made pursuant to **S.35 and 36 of the 1999 constitution** (as amended) and **Sections 158, 161 and 165 of the Administration of Criminal Justice Act (ACJA)** has considerate merit and it is hereby granted.

In effect, the 37th, 40th and 46th Defendants/applicants are hereby admitted to bail in the sum of ₦ 5million each and two sureties each in the same amount.

The sureties must be civil servant working and residing within the Federal Capital Territory Abuja.

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Suleiman Belgore
(Judge) 13-5-2020.