

**IN THE HIGH COURT OF THE FEDERAL CAPITAL TERRITORY
IN THE ABUJA JUDICIAL DIVISION
HOLDEN AT BWARI, ABUJA -FCT.**

**CLERK: CHARITY ONUZULIKE
COURT NO. 11**

**SUIT NO: FCT/HC/CR/066/21
M/3812/21**

DATE: 7/7/21

BETWEEN:

FEDERAL REPUBLIC OF NIGERIA..... PLAINTIFF

AND

BLESSING GOODLUCK OKORIE.....DEFENDANT

RULING

(DELIVERED BY HON. JUSTICE S. B. BELGORE)

The Charge brought against the Defendant is a non-bailable offence i.e. contrary to **Section 1(b) of Advance Fee Fraud and Other Related Offences Act 2006**. It carries a minimum of 7 years imprisonment upon conviction.

The application before me vide Motion number M/3812/21 prayed for an order admitting the applicant to bail. In support is a 23-paragraphs affidavit and a written address.

Learned Counsel to the applicant M. Okpara Esq. relied on the contents of the affidavit and adopted the written address he filed as his argument in this application. He urged me to grant this application.

The Prosecution have not filed any counter-affidavit and they are not objecting to the admittance of the Defendant to bail.

I have reflected deeply on this application. It is a classical example of how not to make an application for bail. The affidavit evidence in support is bereft of all material facts. The only relevant paragraph is paragraph 22 which says investigation has been concluded which means there is nothing left to tamper with.

Now, bail is a discretionary remedy at the instance of the Court to set the Defendant free on certain conditions pending trial. The discretion must be exercised judicially and judiciously. It weighs heavily in my mind that the prosecution has completed investigation. It is weighty to my discretion that the Defendant has not come from custody. She has been on administrative bail by the investigative authority. This is a fact from her that I elicited this morning in my curiosity to know why this application was not opposed by the prosecution.

So, I can say, she is not likely to jump bail if granted by this Court. But sadly, and very importantly, the other parameters that could help in deciding whether or not she would commit further or other offences are not shown. In fact, the prosecuting Counsel said she knows nothing about the Defendant.

It is a predicament for me in choosing or deciding whether or not I should exercise my discretion in her favour. She appears to me a person of feeble mind. She radiates innocent or remorseful instinct and appears to be begging for due consideration of all indices of favour. Being a female person and for her demeanour. I can safely say, she worth being extended my favourable exercise of discretion. I hope and pray I am not wrong.

This leads me to a consideration of the bail condition and I admit the applicant to bail in the sum of **N10,000,000.00** (Ten Million Naira) only and two sureties in the same amount.

The two sureties must be a Civil Servant not below grade level 12 working and residing within the jurisdiction of this Court.

In addition, the sureties must swear to affidavit of personal knowledge of this applicant with full disclosure of marital status, family background, employment and working indices and any useful information that may assist the public or security agencies in case they want those parameters for whatever purposes.

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S. B. Belgore
(Judge)7/7/21