

**IN THE HIGH COURT OF THE FEDERAL CAPITAL TERRITORY  
HOLDEN AT JABI - ABUJA**

**THIS MONDAY, 16<sup>TH</sup> DAY OF MAY, 2022.**

**BEFORE: HON. JUSTICE ABUBAKAR IDRIS KUTIGI – JUDGE**

**CHARGE NO: CV/514/2021**

**MOTION NO: M/1051/2022**

**MOTION NO: M/3041/2022**

**MOTION NO: M/1016/2022**

**MOTION NO: M/5448/2022**

**BETWEEN:**

**THE INSPECTOR GENERAL OF  
POLICE**

**..... COMPLAINANT/RESPONDENT**

**AND**

- 1. CHRIS NWOAKOLO ‘M’**
- 2. ADINYE MICHAEL ‘M’**
- 3. DAVID JACOB ‘M’**
- 4. OSAGHE OSAMWONYI ‘M’**

**..... DEFENDANTS/APPLICANTS**

**RULING**

The Defendants were arraigned on a Charge Sheet dated 14<sup>th</sup> August, 2021 and filed on 15<sup>th</sup> October, 2021. The charge border on Fraud, obtaining some amount under false pretence and cheating under the provisions of the Advance Fee Fraud and other Related Matters Act.

The Defendants all pleaded not guilty and an application for bail was filed on behalf of each of the defendants.

At the hearing, counsel for each of the Defendants/Applicants relied on the paragraphs of the supporting affidavit and adopted the submissions in their written address in urging the court to grant the application. The complainant

did not file any counter-affidavit and indeed counsel to the complainant indicated that he is not opposing the application.

Now under our criminal justice system, it is not in doubt that the nature of the offences for which the accused persons are charged in this case is such that entitles them to bail under extant criminal legislations particularly **Section 162 ACJA 2015** except circumstances are shown or established why they should not take the benefit of being admitted to bail. The complainant has not situated any circumstances that would operate to a refusal to grant the bail application of all the defendants. Indeed as already alluded to, the applications for bail was not opposed. The contents of their respective affidavits stands unchallenged in law.

Again, on the affidavits filed by Applicants, they all indicated that they were all granted Administrative bail which terms were never flouted by them. This suggests that if they are granted bail, they will keep to the terms and attend their trial.

The bottom line really is that there is no feature or material that will prevent the court from properly exercising its discretion to grant bail to the Accused persons.

I accordingly order as follows:

- 1. Bail is granted to the Defendants in the sum of N5, 000, 000 (Five Million Naira) each with one surety each in like sum.**
- 2. Each of the sureties shall be a responsible Nigerian citizens and resident within the jurisdiction of this Court.**
- 3. Each of the sureties shall be a civil servant not below grade level 08.**
- 4. Each of the sureties shall depose to an affidavit of means.**
- 5. Each of the sureties shall provide verifiable means of identification as a civil servant and verifiable place of abode.**

**The case is accordingly adjourned to 29<sup>th</sup> September, 2022 for hearing.**

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*Hon. Justice A. I. Kutigi*

**Appearances:**

- 1. Abdulrasheed Isiaku Sidi Esq., for the Prosecution.*
- 2. Victor Nwadike, Esq., with C.P. Madu, Esq., for the 1<sup>st</sup> Defendant.*
- 3. Anieh Ikwen, Esq., for the 2<sup>nd</sup> Defendant.*
- 4. D.T. Barde, Esq., for the 3<sup>rd</sup> Defendant.*
- 5. Godwin Ozaru, Esq., for the 4<sup>th</sup> Defendant.*