

**IN THE HIGH COURT OF JUSTICE FEDERAL CAPITAL TERRITORY
IN THE ABUJA JUDICIAL DIVISION
HOLDEN AT HIGH COURT MAITAMA – ABUJA**

BEFORE: HIS LORDSHIP HON. JUSTICE S.U. BATURE

COURT CLERKS: JAMILA OMEKE & ORS

COURT NUMBER: HIGH COURT NO. 24

CASE NUMBER: CHARGE NO.FCT/HC/CR/452/2021

DATE: 9TH NOVEMBER, 2021

BETWEEN:

FEDERAL REPUBLIC OF NIGERIA.....COMPLAINANT

AND

EPHIRAIM UMO EFFIOM (a.k.a Smith Wilson).....DEFENDANT

APPEARANCE

Rita Ogar Esq for the Prosecution.

Adekunle Olanipekun Esq, for the Defendant.

Defendant present in Court.

JUDGMENT (PLEA BARGAIN)

Defendant: Do you understand the charge?

Defendant: Yes I understand the charge.

Court: How do you plead to the charge?

Defendant: I plead guilty.

COURT:

The Defendant is asked if he understands the terms of the plea bargain agreement and whether he accepts the terms and if he has agreed to the terms of the said plea bargain voluntarily without any coercion, duress or influence.

DEFENDANT:

Yes, I have seen the terms of the Plea Bargain Agreement. I fully understand the terms of the said Plea Bargain Agreement which I made voluntarily.

COURT:

In view of the Defendant's plea and his response to the Plea Bargain Agreement dated 3rd day of September, 2021 I am satisfied that the Defendant entered into it voluntarily without any coercion, duress or influence. I accordingly convict him for the offence as charged i.e cheating contrary to Section 320 and punishable under Section 322 of the Penal Code Law.

Signed:

***Hon. Justice S. U. Bature
9/11 /2021***

ALLOCUTUS:

DEFENCE COUNSEL:

We urge my Lord to be lenient to the Defendant and impose an option of fine.

DEFENDANT:

I am pleading with the Court to be lenient. I am sorry for my actions. I will not repeat it again.

SENTENCE

In passing this sentence, I took into consideration the terms of the Plea Bargain Agreement between the Prosecution and the Defendant dated the 3rd day of September, 2021.

I also took into consideration the plea for leniency made by both the learned defence Counsel as well as the Defendant himself.

Consequently therefore, it is ordered as follows: -

- (1). That the Defendant shall forfeit the proceeds of crime being the sum of **\$600 USD** to the Federal Government of Nigeria.
- (2). The Defendant shall depose to an Affidavit of undertaking to be of good behaviour.
3. I hereby sentence the Defendant to pay a fine of **N100, 000.00 (One Hundred Thousand Naira Only)** based on the terms of the Plea Bargain Agreement.

Signed:

Hon. Justice S. U. Bature
9/11 /2021