

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

**THIS WEDNESDAY THE 9<sup>TH</sup> DAY OF MARCH 2022**

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

**CHARGE NO: CR/151/2020  
MOTION NO: M/1809/2022**

**BETWEEN:**

**FEDERAL REPUBLIC OF NIGERIA                   .....COMPLAINANT/  
RESPONDENT**

**AND**

**1 MOHAMMED BELLO ADOKE                   ..... DEFENDANT  
2 ALIYU ABUBAKAR                   ..... DEFENDANT/APPLICANT  
3 RASKY GBINGIE  
4 MALABU OIL AND GAS LIMITED  
5 NIGERIA AGIP EXPLORATION LIMITED  
6 SHELL NIGERIA ULTRA DEEP LIMITED  
7 SHELL NIGERIA EXPLORATION PRODUCTION  
COMPANY LIMITED**                   } **..DEFENDANTS**

**RULING**

**1. An ORDER of the Honourable Court granting the 2<sup>nd</sup> Defendant/Applicant leave to travel outside Nigeria for medical treatment for a period of three (3) weeks beginning from the date of the order granting the 2<sup>nd</sup> Defendant/Applicant leave to travel.**

**2 A Consequential Order that the 2<sup>nd</sup> Defendant's/Applicant's International Passport which is with the Honourable Court be released to the 2<sup>nd</sup> Defendant/Applicant to facilitate the 2<sup>nd</sup> Defendant's/Applicant's medical trip outside Nigeria and the said International Passport be returned to the Honourable Court upon the 2<sup>nd</sup> Defendant's/Applicant's return to Nigeria**

**GROUNDS**

- 1 The 2<sup>nd</sup> Defendant's/Applicant's constitutionally guaranteed right to life is not impaired in any manner whatsoever in spite of the charges preferred against the 2<sup>nd</sup> Defendant/Applicant who is in any event presumed to be innocent of the said charges**
- 2 The 2<sup>nd</sup> Defendant/Applicant is entitled to be offered access to good and adequate medical care so as to ensure that the 2<sup>nd</sup> Defendant/Applicant is alive to continue with his trial along with other Defendants in the case**
- 3 The Honourable Court is vested with the discretionary power to grant the 2<sup>nd</sup> Defendant's/Applicant's Motion in order to preserve his life, and in the interest of Justice**
- 4 It is in the interest of justice to grant the application**

**Exhibit AA1**

- 1. Leave is granted to the 2<sup>nd</sup> defendant/applicant to travel outside Nigeria for Medical treatment for a period of three (3) weeks beginning from 14<sup>th</sup> March, 2022 to 10<sup>th</sup> April, 2022**
- 2. An Order is hereby made releasing the international passport of 2<sup>nd</sup> Defendant/Applicant to facilitate the medical trip**
- 3. The 2<sup>nd</sup> Defendant/Applicant's counsel shall undertake to return the international passport of 2<sup>nd</sup> Defendant on his return**
- 4. The 2<sup>nd</sup> Defendant/Applicant shall return his international passport to the custody of the court within five (5) days of his return**

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**Hon Justice A.I. Kutigi**

**Appearances**

- 1. Offem Uket, Esq, for the Prosecution**
- 2. Chief Akinkolu Olujimi SAN, Dr. Y.J. Musa SAN, Oladun Ojo SAN with Ernest Ilesji and Y. Yusuf for the 2<sup>nd</sup> Defendant/Applicant.**