

IN THE HIGH COURT OF THE FEDERAL CAPITAL TERRITORY

IN THE ABUJA JUDICIAL DIVISION
HOLDEN AT GWAGWALADA- ABUJA

THIS WEDNESDAY THE 13TH DAY OF DECEMBER, 2023

BEFORE HIS LORDSHIP: HON. JUSTICE ALIYU YUNUSA SHAFIA

SUIT NO: FCT/HC/CR/111/2023

BETWEEN:

FEDERAL REPUBLIC OF NIGERIA..... COMPLAINANT

AND

STEPHEN UCHE FRIDAY (ALIES TY MARCH) DEFENDENT

Court: this matter is for arraignment.

Defence present in court.

Offence: Cheat by personation punishable under such section 324 of the penal code.

Appearance: S. O. Obila with T. M. Anameze for prosecution holding the brief of Sabina M. Dabak for the prosecution.

Defendant: TerungwaAnande for the defendant.

Prosecution: Before the court is a one count charge dated the 30/11/2023 and file on the 3/12/2023, apply to the court for the charge be read to the defendant as to enable him take his plea. That the charge is predicated on a plea bargain agreement dated the 30/11/2023 and foiled on the 3/12/2023 and we adopt the term of the plea bargain and urge the court to convict and sentence i.e accordance with the terms of the plea bargain agreement.

Further, we recover techno spark 8C phone from the defendant and the defendant has restituted the sum benefited \$540 dollars, and urge the court to order for the forfeited of the phone and the sum restituted to the FGN through the office of the EFCC.

Court: the one count charge is read and explained to the defendant. The defendant is called upon to reply to the one count charge.

Court: defendant do you understand the charge.

Defendant yes

Court: defendant are you guilty or not guilty?

Defendant I am guilty.

CONVICTION

I am satisfied that the Defendant having understood the content of the one count charge read and explained to him and pleaded guilty shall accept the plea of guilt made by the defendant and consequently convict the Defendant for the offence of impersonation punishable under section 324 of the Penal Code Law.

Allocutos:

I am very sorry for doing this my lord, and I promise never to go back to the crime and pray the court to have mercy on me.

Defence: The convict is a first time offender and have restituted the sum of \$540 US Dollars. The convict is remorseful and have been in the EFCC facility for three months since the time of his arrest. That the convict is indigent person who came to Abuja to take care of his ill mum, pray the court to temper justice with mercy and urge the court to consider an option of fine instead of option of prison sentence on the plea bargain.

Court: pros. Is there any previous conviction to your knowledge by the convict?

Prosecution: None.

SENTENCE

A careful perusal of the charge before the court and the plea of guilty by the Defendant, I have To consider the plea bargain agreement in sentencing the convict.

In doing that, I am guided with the provision of section 20(1) a,b, &c, 2&3, section 22(2), 25(c) and S. 33(1) (2) of the EFCC Act. Hence the convict is hereby sentenced as follows:

1. To one year imprisonment or an option of fine if #500,000.00(Five Hundred Thousand Naira)
2. The Techno Spark SC is hereby ordered to the be forfeited to the FG and the forfeited techno spark be sold and the proceed realized be paid to the consolidated Revenue of the FG through the EFCC
3. The sum of \$540 received from the convict having been restituted be paid to the Federal Government of Nigeria through the EFCC account.

4. The convict to depose to an affidavit of undertaking to be of good character and to report to the EFCC office for a period of Six months for counselling.

Court: evidence of payment of the sum of \$540 US dollars be returned to this court within 2week of this order.

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Hon. Justice A. Y. Shafa