

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

BEFORE HIS LORDSHIP: HON. JUSTICE Y. HALILU
COURT CLERKS : JANET O. ODAH & ORS
COURT NUMBER : HIGH COURT NO. 14
CASE NUMBER : CHARGE NO: CR/231/2024
DATE: : TUESDAY 16TH APRIL, 2024

BETWEEN

FEDERAL REPUBLIC OF NIGERIA COMPLAINANT

AND

BALA USMAN MOHAMMED DEFENDANT

RULING

Bail is the Fundamental Right of an accused person in view of the constitutional provision of presumption of innocence provided under the constitution of the FRN which is the grundnorm on this, I rely on section 36(5) of the 1999 Constitution of FRN.

It is further the law that Bail is at the discretion of the court, a discretion that shall be exercised judicially and judiciously bearing in mind the presumption of innocence of the accused.. unless there are good reasons why Bail is contested, Bail would always be granted in deserving situation. See ***FRN VS. ABIOLA;***

FRN VS. DOKUBO.

They all were granted Bail when arraigned for treason.. the offence revealed on the 13 counts are allailable, moreso that they are not treasonable. This court admitted a 221 Accused person to bail in ***COP VS. MARYAM SANDA.***

What is more, the prosecution who were served the application have not objected to same. I am minded to admit Defendant to Bail on the following terms.

1. Defendant shall provide two reasonable sureties who must be residents of FCT with evidence of ownership of their respective residents.
2. Defendant shall deposit his travel document with the Registrar of this court.
3. Sureties shall write an undertaking which must be by affidavit that they be held and put in prison in the event that Defendant jumps Bail.
4. The said title documents of sureties' houses be deposited with the Registrar of this Court.

Defendant shall be remanded at the Kuje Correctional Facility in the event that conditions are not met.

***Justice Y. Halilu
Hon. Judge
16th April, 2024***

APPEARANCES

M.A Babatunde, Esq. – for the Prosecution.

Anthony I. Eruaga, Esq. – for Defendant.

