

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/291/2024
DATE: : MONDAY 13TH MAY, 2024

BETWEEN:

FEDERAL REPUBLIC OF NIGERIA...COMPLAINANT

AND

SAHURA ADEJOKE MOHAMMED DEFENDANT

RULING

Obinna:- We have application dated the 6th May, 2024 for the reliefs therein, it is supported by affidavit and written address which we hereby adopt, urging the Court to grant the application in the overriding interest of justice and fairplay.

Obila:- We were served the Motion paper. We are not opposed to same.

Court:- **Ruling**

Bail is a Constitutional Right of an Accused person in view of the presumption of innocence provided for pursuant to Section 36(5) of the 1999 Constitution (as amended).

The whole essence of Bail is not to set an Accused free for all time sake but to grant temporary freedom pending the determination of guilt, and once the Court is assured that such an Accused would return to stand trial, a condition the Court considers most apparent amongst other conditions for Bail, the Court would admit such an Accused person to Bail.

There is no offence known to law that is notailable save for certain conditions which the Court would consider. In **FEDERAL**

REPUBLIC OF NIGERIA VS. ABIOLA (1995)1 NWLR (Pt. 155) (CA)

FEDERAL REPUBLIC OF NIGERIA VS. DOKUBO (2007)

LPELR (Pt. 958) (SC) both Accused persons where charged with Treason but all granted bail despite the fact that Treason is the highest offence known to our laws. I have gone through the facts contained in the unchallenged affidavit which I consider necessary to believe.

Bail is hereby granted on the following terms:-

1. Accused shall provide two (2) sureties who must be responsible citizens of Nigeria living within the jurisdiction of this Court with evidence of domicileity
2. Accused shall deposit her travel documents with Court.
3. Sureties shall write undertaking to produce Accused in Court and that they be put in prison whenever Accused jumps bail.

***Justice Y. Halilu
Hon. Judge
13th May, 2024***

APPEARANCES

S.O. Obila, Esq. – for Prosecution.

Obinna S.N., Esq. – for Defendant.