

IN THE FEDERAL HIGH COURT OF NIGERIA
IN THE BAUCHI JUDICIAL DIVISION

HOLDEN AT BAUCHI

ON WEDNESDAY THE 18TH DAY OF MAY, 2016

BEFORE HIS LORDSHIP HONOURABLE JUSTICE M.SHITU ABUBAKAR

CHARGE NO. FHC/BAU/70C/2015

BETWEEN

FEDERAL REPUBLIC OF NIGERIA COMPLAINANT

AND

UMARU ABDULLAHI BODA..... DEFENDANT

Judgment

The Defendant is charged with a one count charge as follows:

That you **Umaru Abdullahi Boda**, male, 29years, on or about the **21st day of June, 2015** near **Dan’asabe Park, Azare, Katagum Local Government Area, Bauchi State**, within the jurisdiction of this Honourable Court, dealt in 250kilogrammes of cannabis Sativa, a narcotic drug, similar to Cocaine, Heroin and LSD without lawful authority and thereby committed an offence contrary to and punishable under section 11c of the NDLEA Act Cap N30 Laws of the Federation of Nigeria 2004.

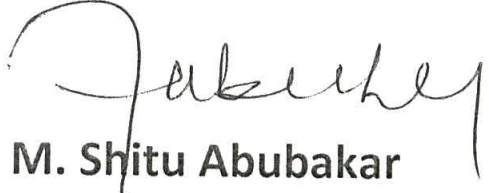
On 16th March, 2016 when the charge was read over and interpreted to the defendant in his vernacular he pleaded guilty to it, and did not show any reason or cause why he should not be convicted of the offence. Learned counsel for the prosecution Bundi Suleiman Esq. also tendered Exhibit A, B, & C in evidence in furtherance of the plea of guilty of the defendant. Exhibit A is the drug analysis report which proved by chemical analysis that what the defendant was dealing in unlawfully was actually Cannabis Sativa and Exhibit B was the bulk of the Cannabis found on the defendant.

By the provision of S.274 (2) of the Administration of Criminal Justice Act, and plethora of decided cases a defendant can be convicted on his own plea of guilty provided the court is satisfied that the plea was plain and unambiguous and by it the defendant intends to admit the commission of the offence with which he is charged and which he pleaded guilty.

From what transpired in court I am fully satisfied that the plea of the defendant is quite plain and unambiguous and by it the defendant intended to admit the commission of all the essential

ingredients of the offence. Accordingly I find the defendant guilty of having committed the offence with which he is charged.

Accordingly I convict the defendant of the offence of unlawful dealing in Cannabis Sativa, a hard drug similar to cocaine, heroin and LSD contrary to S. 11 (c) of the NDLEA Act Cap. N30, LFN 2004 as amended.



M. Shitu Abubakar
Presiding Judge

18/5/2016

Allocutus

Court: Do you wish to say anything in mitigation of sentence.

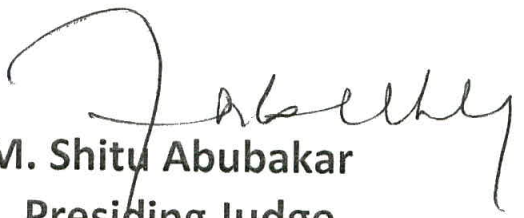
Convict: - I plead for leniency and mercy because I am an orphan. I am married to one wife and have a child under my care. I am a motor conductor. I am a first offender in my life.

Suleiman: - There is no record of previous conviction against the convict.

Court: - I have considered the plea for mitigation of sentence by the convict. In particular I have considered the fact that the convict is a first offender and also a family man. I have also

considered the small quantity of the drugs found on the convict and for this reason I am ready to be lenient to him.

Accordingly, the convict is sentence to three years (3years) imprisonment with effect from the day he was first arrested that was 21/06/2015. Exhibit B shall be kept by the NDLEA Exhibit keeper for security reason.


M. Shitu Abubakar
Presiding Judge
18/05/2016