

IN THE HIGH COURT OF EBONYI STATE OF NIGERIA  
IN THE HIGH COURT OF OHAUKWU JUDICIAL DIVISION  
HOLDEN AT EZZANGBO  
BEFORE HIS LORDSHIP, HON. JUSTICE J. IGBOJI  
ON WEDNESDAY THE 30<sup>TH</sup> DAY OF MARCH, 2022

HKW/7C/2022

THE STATE

V.

NWEKE ARINZE & 5 ORS.

Defendants present in court.

F. N. Nwebo Esq. for the Defendant. No Legal representation for the State.

F. N. NWEBO ESQ.

Matter is for plea but in view of the absence of the State Counsel, I shall be asking for a short date.

COURT: Case is further adjourned to 29/04/2022 for Plea.

Signed  
Hon. Justice John Igboji  
Judge  
(30/03/2022).

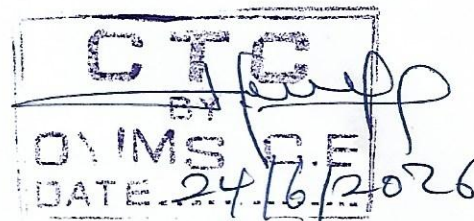


HOLDEN AT EZZANGBO  
BEFORE HIS LORDSHIP, HON. JUSTICE J. IGBOJI  
ON FRIDAY THE 29<sup>TH</sup> DAY OF APRIL, 2022

HKW/7C/2022

THE STATE

V.



*John Igboji*

AD

**NWEKE ARINZE & 5 ORS.**

Defendants present except the 4<sup>th</sup> defendant.

R.O.O. Ude Esq., Deputy Director, for the State.

F. M. Nwebo Esq. for the Defendants.

R. O. O. UDE ESQ.

Matter is for plea but the defendants are not complete and, we shall be asking for an adjournment.

Defence Counsel prays for a short date to move his application.

No objection.

COURT: Case is further adjourned to 18/05/2022 to entertain pending application.

v

Signed  
Hon. Justice John Igboji  
Judge  
(29/04/2022).

**HOLDEN AT EZZANGBO  
BEFORE HIS LORDSHIP, HON. JUSTICE J. IGBOJI  
ON FRIDAY THE 10<sup>TH</sup> DAY OF JUNE, 2022**

**HKW/7C/2022**

**THE STATE**

**V.**

**NWEKE ARINZE & 5 ORS.**

Defendants present in Court.

R.O.O. Ude Esq., Deputy Director, for the State.



AD

F. M. Nwebor Esq. for the Defendants.

R. O. O. UDE ESQ.

Matter is for plea and we are ready .

Defence Counsel informs the court that they have interlocutory application in respect of Nos. 5 and 6 on record and we are ready to proceed.

No objection and Counsel proceed thus:

“Before the Court is a Motion on Notice dated and filed on 17<sup>th</sup> March 2022. Same is brought pursuant to Sections 244 and 258 (1) (A) of Ebonyi State Administration of Criminal Justice Law 2019; praying the court for an Order quashing the names of the 5<sup>th</sup> and 6<sup>th</sup> Defendants from the Information in Charge No. HKW/7C/2022 on the ground that the proof of evidence accompanying same does not disclose any prima facie case or link between the 5<sup>th</sup> and 6<sup>th</sup> Defendants with the offence charged”

Supportive of the motion is an affidavit of 23 paragraphs deposed to by Chioma Okoro, a Litigation Clerk in the Law Firm of Supreme Solicitors.

We place heavy reliance on all the paragraphs thereof especially paragraphs 13. Attached thereto is a written address dated and filed on 17<sup>th</sup> March, 2022 which we now adopt as our arguments and submissions in moving the motion.

By way of adumbration, we submit that it is a trite law that the only way for any paragraph of an affidavit is challenged is by way of a Counter affidavit, same cannot be oral. We further submit that it

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BY [Signature]  
OYIMS CE  
DATE 24.10.2026 [Signature]

is the law that where the law allots a time for doing an act and a party for which it is this Ruling to act fails to act within the time allotted, other party is deemed to have waived that right as equity aides the vigilant and not the indolent.

Based on the foregoing, we urge the court to grant our prayers as same is meritorious and there is nothing on record challenging same.

**R. O. O. UDE ESQ.**

On point of law, we submit that the present information sought to be quashed against the 5<sup>th</sup> and 6<sup>th</sup> defendant was filed by the Honourable Attorney General through his officers in line with the powers duly conferred on him by the Administration of Criminal Justice Law 2019. If in the opinion of the Honourable Attorney General the defendants have a case to answer, the AG files information against them. We submit that a prima facie case of Kidnapping was made out against the applicants before the information was filed.

The present application amounts to a wasting of the precious time of the Court. The only way it could see the light of the day is if after going through the proof of evidence ie. Statement of Defendants, co-defendants, Investigation Activities of the Police and there is no atom of evidence of complicity against them, that is the only time the application is likely to succeed.

In the instant case, the applicants were implicated in the alleged Kidnapping of the Engineers by reasonable inferences. From Exhibit 'FM2', the 5<sup>th</sup> applicant is the POS Dealer through whom money exchanged hands for ransom.

*John Kijune*  
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BY *[Signature]*  
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DATE 24/6/2026 4  
*AM*

We submit further that the application is defective/incompetent in law as the two defendants were not arrested together and their cases are different; the applications ought to come separately with different affidavits.

We urge the Court to refuse the application as the jurisdiction of the Court has not been properly invoked.

On point of law, Defendants/Applicants Counsel submits that there is the case that requires the filing of separate applications. See Sections 244 and 258 of the Administration of Criminal Justice Law 2019 which is very clear on this.

We urge the Court to discountenance the objection and grant our prayers.

COURT: Motion is adjourned to 06/07/2022 for ruling and plea.

Signed  
Hon. Justice John Igboji  
Judge  
(10/06/2022).

HOLDEN AT EZZANGBO  
BEFORE HIS LORDSHIP, HON. JUSTICE J. IGBOJI  
ON WEDNESDAY THE 22<sup>ND</sup> DAY OF FEBRUARY, 2023  
HKW/7C/2022

THE STATE

V.

NWEKE ARINZE & 5 ORS.

CTC  
BY [Signature]  
DYIMS C.E  
DATE 24/6/2022

[Signature] AD

All the Defendants/Applicants present in Court.

COURT: F. M. Nwebo Esq. for the 1<sup>st</sup>, 4<sup>th</sup> – 6<sup>th</sup> Defendants; withdraw appearance for the 2<sup>nd</sup> – 3<sup>rd</sup> Defendants/Applicants.

E. S. Nworie Esq. for the 2<sup>nd</sup> and 3<sup>rd</sup> Defendants/Applicants.

No legal representations

E. S. NWORIE ESQ.

Matter is for ruling and we are ready.

COURT: Applications are adjourned to 01/03/2023 for the ruling.

Signed  
Hon. Justice John Igboji  
Judge  
(22/02/2023).

**HOLDEN AT EZZANGBO  
BEFORE HIS LORDSHIP, HON. JUSTICE J. IGBOJI  
ON WEDNESDAY THE 1<sup>ST</sup> DAY OF MARCH, 2023  
HKW/7C/2022**

**THE STATE**

**V.**

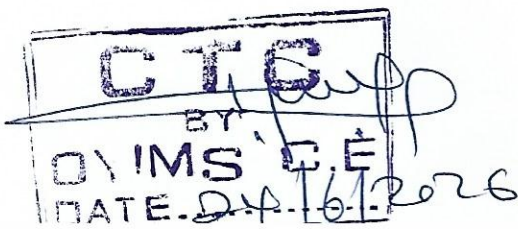
**NWEKE ARINZE & 5 ORS.**

Defendants present in Court.

F. M. Nwebo Esq. for the 3<sup>rd</sup> – 6<sup>th</sup> Defendants

No further appearances.

COURT: Matter is for ruling but it is not ready. Same is further adjourned to 8<sup>th</sup> March, 2023 for the ruling.



Handwritten signature of John Igboji.

Signed  
Hon. Justice John Igboji  
Judge  
(01/03/2023).

**HOLDEN AT EZZANGBO  
BEFORE HIS LORDSHIP, HON. JUSTICE J. IGBOJI  
ON WEDNESDAY THE 8<sup>TH</sup> DAY OF MARCH, 2023**

**HKW/7C/2022  
HKW/63M/2022**

**IKECHUKWU IGBOKE & ANOR.**

**V.**

**THE STATE**

Defendants/Applicants present in Court.

F. M. Nwebor Esq., for the Applicants i.e for the 1<sup>st</sup>, 4<sup>th</sup> – 6<sup>th</sup> Defendants. No further appearances.

COURT: Matter is for ruling and same is delivered, dismissing the application for quashing and ordering the defendants to take their plea.

Signed  
Hon. Justice John Igboji  
Judge  
(08/03/2023).

R. O. O. Ude Esq., Deputy Director, for the State. F. N. Nwebor Esq. holds the brief of S. N. Nworie Esq. for the 2<sup>nd</sup> and 3<sup>rd</sup> Defendants.

**CTC**  
BY *[Signature]*  
**OVIMS C.E.**  
DATE 24.16.2023 *[Signature]*

**CHARGE:**

**PLEA:** Charge is read over to the defendants in English Language and interpreted to them in Igbo Language to their understanding and satisfaction of the Court and they individually pleaded as follows:

**COUNT ONE**

1<sup>st</sup> defendant pleads not guilty thereto.

2<sup>nd</sup> defendant pleads not guilty thereto

3<sup>rd</sup> defendant pleads not guilty thereto

4<sup>th</sup> defendant pleads not guilty thereto

5<sup>th</sup> defendant pleads not guilty thereto

6<sup>th</sup> defendant pleads not guilty thereto

Prosecution Counsel prays for a date to open their case. No objection.

**COURT:** Case is adjourned to 12/04/2023 for hearing to commence.

Signed  
Hon. Justice John Igboji  
Judge  
(08/03/2023).

**CHARGE NO. HKW/7C/2022**  
**MOTION NO. HKW/63M/2022**

**BETWEEN:**

- 1. IKECHUKWU IGBOKE
- 2. MONDAY AWOEGBE

} ..... DEFENDANDS/APPLICANTS



AND

THE STATE ..... PROSECUTION/RESPONDENT

RULING

When this matter came up for plea on 10<sup>th</sup> June, 2022 the Learned Defence Counsel brought an application pursuant to Sections 244 and 258(1) (A) of the Ebonyi State Administration of Criminal Justice Law 2019 and prayed the Court for an order quashing the names of the 5<sup>th</sup> and 6<sup>th</sup> Defendants/Applicants on the information with the Charge on the ground that proof of evidence accompanying same, does not disclose any prima facie case and/or link with the said 5<sup>th</sup> and 6<sup>th</sup> Defendants/Applicants and the alleged offence charged.

Supportive of the application was an affidavit of 23 paragraphs deposed to by one Chioma Okoro, a Litigation Clerk in the Law Firm of Supreme Solicitors. Accompanying same was a written address which the learned Applicant's Counsel adopted as their arguments and submissions and urged the Court to quash the information against the 5<sup>th</sup> and 6<sup>th</sup> Defendants/Applicants and discharge them in the overall interest of justice and fairness.

On point of law, the Learned Prosecuting Counsel vehemently opposed the application and contended vigorously that the Honourable Attorney General through his officers preferred the charge against the Defendants/Applicants for the offences charged

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OVIMS  
DATE 24/6/2022

[Signature]

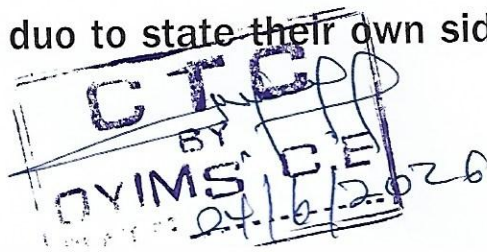
and urged the Court to meticulously consider the accompanying proof of evidence ie Statements of the Defendants/Co-Defendants, Investigation activities of the Police to determine their complicity or otherwise in the offences charged; submitting that the said 5<sup>th</sup> and 6<sup>th</sup> Defendants/Applicants were duly implicated in the offences of kidnapping and gruesome murder of the victims.

I have painstakingly perused the application with its accompaniments. From the extra-judicial Statements of the 5<sup>th</sup> and 6<sup>th</sup> Defendants/Applicants, together with Interim Police Investigation Report dated 14<sup>th</sup> January, 2022 both Defendants were involved with payment of the ransom for the kidnapping.

In the case of **AGBO V. STATE (2013) 11 NWLR (PT. 1365) 377 @ 393. PARAGRAPHS G – H**, His Lordship, Fabiyi JSC lent his voice thus:

***“...It has been held that however slight the evidence linking an accused person with commission of the offence charged might be, the case ought to proceed for the accused to explain his own side of the matter”.***

Having been fingered on the payment of the ransom for the kidnapping, I am of the firm view that the case ought to proceed for the duo to state their own sides of the story. I so hold and hereby



dismiss this application for lacking in merit and order the Defendants to take their plea forthwith.

John Igboji  
Judge  
08/03/2023.

**HOLDEN AT EZZANGBO  
BEFORE HIS LORDSHIP, HON. JUSTICE J. IGBOJI  
ON THURSDAY THE 7<sup>TH</sup> DAY OF MAY, 2025**

**HKW/7C/2022**

**THE STATE**

**V.**

**NWEKE ARINZE & 2 ORS.**

All the Defendants present in Court.

J. U. Chukwu Esq., Acting DPP with Team, for the State.

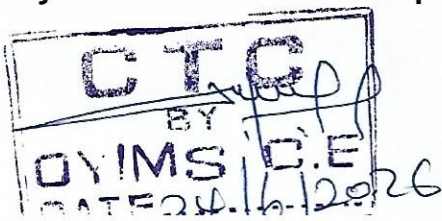
M. I. Nwakpa Esq. with team for the Defendants.

**CHUKWU ESQ.**

Case is for hearing but we are not ready as our witnesses are trying their best to come owing to the amnesty granted the defendants. We shall be asking for a date.

Defence Counsel says they are not opposed to the application but praying the Court for leave to proceed with their pending bail applications.

No objection and Counsel proceeds thus:



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Applications' Counsel applies to consolidate this application with Motion Nos. HKW/112M/2025 and HKW/116/2025, having risen from same facts and circumstances.

No objection.

COURT: Application is granted and Motion Nos. HKW/116M/2025, HKW/118M/2025 are hereby consolidated.

Signed  
Hon. Justice John Igboji  
Judge  
(07/05/2025).

NWAKPA ESQ.

The consolidated motions are dated 9<sup>th</sup> April, 2025 is filed the same date. Same prays for the reliefs set out on the motion papers.

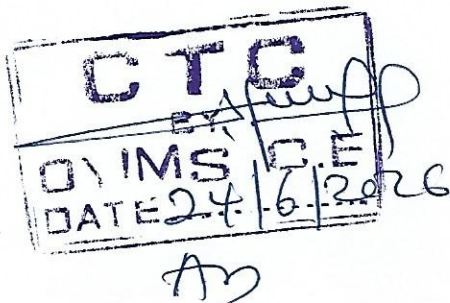
We move in terms of our motion papers.

No objection.

COURT: The three (3) applicants who are said to be enjoying the amnesty of the Ebonyi State Government are admitted to bail on self recognizance's.

The substantive matter is adjourned to 21<sup>st</sup> May, 2025 for hearing.

Signed  
Hon. Justice John Igboji  
Judge  
(07/05/2025).



*John Igboji*

**HOLDEN AT EZZANGBO  
BEFORE HIS LORDSHIP, HON. JUSTICE J. IGBOJI  
ON THURSDAY THE 21<sup>ST</sup> DAY OF MAY, 2025**

**HKW/7C/2022**

**THE STATE**

**V.**

**NWEKE ARINZE & 2 ORS.**

Defendants present in Court.

M. Ezike Esq., Senior State Counsel for the State.

M. I. Nwakpa Esq. with S. A. Okenu Esq. and E. S. Nworie Esq. for  
the Defendants.

**EZIKE ESQ.**

Case is for hearing and the defendants were granted amnesty by  
the State Government and shall be asking for a date to do the  
needful.

No objection.

**COURT: Case is further adjourned to 4<sup>th</sup> June, 2025.**

Signed  
Hon. Justice John Igboji  
Judge  
(21/05/2025).

**HOLDEN AT EZZANGBO  
BEFORE HIS LORDSHIP, HON. JUSTICE J. IGBOJI  
ON FRIDAY THE 8<sup>TH</sup> DAY OF MAY, 2026**

**HKW/7C/2022**

**THE STATE**



A handwritten signature in blue ink, appearing to be "John Igboji".

V.

**NWEKE ARINZE & 2 ORS.**

Defendants absent in Court.

No legal representations for the parties

COURT: This matter was last heard on 21/05/2025 when the Learned Prosecution Counsel informed the Court that the Defendants have been granted amnesty and took a date to do the needful, only to abandon the case.

Same is further adjourned to Wednesday, 13<sup>th</sup> May, 2026 for continuation of hearing, an Order for hearing notices to issue to the parties.

Signed  
Hon. Justice John Igboji  
Judge  
(08/05/2025).

**HOLDEN AT EZZANGBO  
BEFORE HIS LORDSHIP, HON. JUSTICE J. IGBOJI  
ON FRIDAY THE 22<sup>ND</sup> DAY OF MAY, 2026**

**HKW/7C/2022**

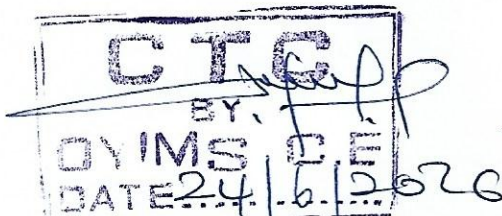
**THE STATE**

V.

**NWEKE ARINZE & 5 ORS.**

Defendants are absent in Court.

COURT: No legal representation for the parties



COURT: This matter came up last on 8<sup>th</sup> May, 2026 and the defendants were all absent wherefor I ordered that Hearing Notices be served to the parties. I doubt if the said hearing notices were issued and further adjourn to 3<sup>rd</sup> June, 2026 with a further order for the said hearing notices to be served on the parties.

Signed  
Hon. Justice John Igboji  
Judge  
(22/05/2026).

HOLDEN AT EZZANGBO  
BEFORE HIS LORDSHIP, HON. JUSTICE J. IGBOJI  
ON WEDNESDAY THE 3<sup>RD</sup> DAY OF JUNE, 2026

HKW/7C/2022

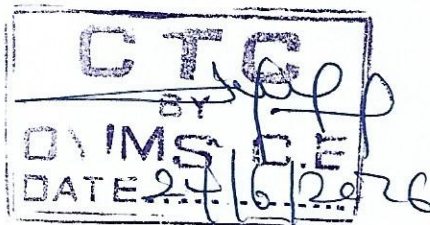
THE STATE  
V.

NWEKE ARINZE & 4 ORS.

Defendants are absent in Court.

No legal representations for the parties.

COURT: For the third time, the defendants are absent and I hereby order that M. Ezike Esq. – Senior State Counsel who informed this Court about the State granting amnesty to the Defendants only to keep away till date, to appear in Court on 24/06/2026 to explain himself.



AN

Signed  
Hon. Justice John Igboji  
Judge  
(03/06/2026).