

BOWEN UNIVERSITY, IWO
(OF THE NIGERIAN BAPTIST CONVENTION)
COLLEGE OF LAW

2024/2025 ACADEMIC SESSION SECOND SEMESTER EXAMINATION
COURSE CODE: PIL 306 **COURSE TITLE: CRIMINAL LAW II**

INSTRUCTIONS

ANSWER ANY TWO QUESTIONS FROM EACH SECTION

TIME ALLOWED: 3 HOURS

EACH QUESTION CARRIES 17^{1/2} MARKS

SECTION A

1. Abenda, Abendi, Agbaki, and Anoch went to the House of Mr. Charles and Mrs. Edna Eve to rob. They hired the bus of Agbandi for the operation. When they got to their destination, they instructed the driver to keep the engine running for which they would pay him extra. Abenda mounted the gate while Agbandi, Agbaki and Anoch entered the house. They met the couple with their two daughters having dinner. Abendi ordered them to lie down flat, while Anoch ordered Mr. Eve to take him to his bedroom where they carted away money and jewelries. While the operation was going on, Agbaki saw the thigh of Mr. Eve's daughter, Efe, and with a gun in his hand, ordered her to undress. He then had carnal knowledge of her. They ran out of luck as they were about entering their bus when a security personnel in the estate accosted them and Abenda shot him dead. A few days later, all the culprits were arrested by the Police.

Abenda, Abendi, Agbaki, Anoch and Agbandi have been charged for conspiracy, rape, armed robbery and murder.

With the aid of judicial and statutory authorities, identify and address all the legal issues involved.

2. On the 13th of May, 2024, Akpan went hunting in Okuku Forest, Ikom, Cross River State. After a long day without killing any game, he finally saw something that looked like a deer, he aimed at it and shot. The game fell. He raced over and realised that it was not a deer but Akim who had wondered into the nearby bushes to defecate.

Meanwhile, Pius, Tony and Timi are roommates at Mark Hostel, Bawa University, Owo. Pius and Tony had an altercation over a business deal. Being infuriated, Pius poured a lethal salt-like substance into the salt container of Tony. On the 14th of May, 2024, Timi collected Tony's salt container and applied salt from it to the noodles he prepared and ate. After eating the noodles, Timi fainted due to the poison and was rushed to the University Clinic where he was pronounced dead.

On the 12th of March, 2025, Sandra had a fight with Kes who had insulted her boyfriend. Sandra punched Kes and she fell, hitting her head on the pavement after which she was rushed to the hospital. A few hours later, Kes was pronounced dead due to internal bleeding. Sandra has been charged for the murder of Kes. Meanwhile, on their way from school, Pele told Mele that his father was a notorious thief who is responsible for the disappearance of the chickens in their village. Being embarrassed, Mele pushed Pele

who slipped and fell on a pointed construction rod and died instantly. Mele has been charged with the murder of Pele.

With the aid of judicial and statutory authorities, identify and address all the legal issues involved.

3. Gado is a homeless child that wanders the streets aimlessly. In the afternoon of May 20th, 2025 around Mokola Roundabout, Ibadan, being hungry, he craftily slipped his hands into the pocket of Hassan, hoping to pick money from there to buy food. Before his hand could reach the bottom of Hassan's pocket, Hassan felt and grabbed the hand.

Meanwhile, Grace and Apim Sweetness got married under Yoruba customary law, and they both work as cashier with Ezi Bank. Together, they agreed and stole the sum of Twenty Million Naira from a customer's account. They have been arrested by the Police and charged before Owo High Court for conspiracy as well as stealing.

With the aid of judicial and statutory authorities, identify and address all the legal issues involved.

SECTION B

4. During a heated political protest, several scuffles broke out between groups of demonstrators. Binta, who had previously received anonymous threats because of her activism, noticed Musa glaring at her while reaching into his jacket. Believing he was about to draw a weapon, Binta picked up a wooden pole from the ground and struck Musa on the head, knocking him unconscious. Unknown to Binta, Musa was merely reaching for his mobile phone to record the protest. In the confusion, Tunde, Musa's friend, witnessed Binta's strike and, believing Musa to be the victim of an unprovoked attack, rushed at Binta with a broken bottle. Binta, still holding the pole, swung at Tunde in panic, fracturing his arm. Meanwhile, Kelechi, a bystander uninvolved with any group, saw Binta attacking both Musa and Tunde. Fearing she was a danger to others, Kelechi tackled Binta to the ground with considerable force, causing Binta to hit her head on the pavement, suffering a serious injury in the process. Binta, Tunde, and Kelechi are all facing various criminal charges while Musa is in coma.

Advise Binta, Tunde, and Kelechi on the defence open to them.

5. According to the 2024 Corruption Perceptions Index by Transparency International, Nigeria is the 140 least corrupt nation out of 180 countries. Corruption rate in Nigeria averaged 126.83 from 1996 until 2024, reaching an all-time high of 154.00 in 2021. Undoubtedly, corruption has been a major limitation to real development in the country.

Comment on the possibility of the extant legal provisions curbing the menace of corruption in Nigeria.

6. During the last Moot and Mock trial preparatory sessions, Josiah had whispered to his best friend, Alfred, that Omo's appearance as a rape victim was the best decision, stating that she had actually been sexually molested as a child. Unknown to them, Fola, Omo's friend, overheard and went straight to tell her. She had earlier stepped out to the convenience. Omo charged back ragingly at Josiah, gave him a blow on the back of his head, and pushed him vigorously towards the wall. Josiah lost balance, hitting his head on the table as he fell down with a loud thud. Alfred started screaming that, 'Is it a lie, were you not raped? You have

killed my friend today', Omo reached for the water bottle on the next desk, and hit Alfred below the belt. He fell down too, and was rushed to the clinic along with his friend, Josiah. Alfred sustained serious injuries, but the doctor confirmed that Josiah was brought in dead.

- a) **Which defence do you think is open to Omo in her trial?**
- b) **What are the chances of the said defence availing her?**
- c) **Considering the age of Omo, what punishment theory would you recommend for the judge to consider in sentencing her?**