

Man to die by hanging for killing classmate

From Usman A. Bello, Benin

A High Court sitting in Kwale, Delta State, has sentenced 24-year-old Ebinum Prosper to death by hanging for the murder of his classmate, Ojieh Chibogu, in the Ugiliama community.

Justice F. Enemor of High Court 2, Kwale, delivered the sentence after finding the defendant guilty of murder.

The prosecution, led by Mrs. Catherine O. Onoberhie-Oberuomo, informed the court that the incident occurred on June 29, 2016. According to the prosecution, the defendant stabbed the deceased with a knife following a misunderstanding, resulting in his death.

The case (Suit No. HCK/89C/2022, State vs. Ebinum Prosper) has a long legal history.

It was initially handled in Asaba;

however, during the 2020 EndSARS protests, a fire incident destroyed the court documents and exhibits while the matter was already at the final address stage.

Following the creation of the Kwale Criminal Division, the prosecution applied to have the case transferred back to Kwale for a fresh trial (trial de novo). Certified true copies of the original case file were obtained from the High Court Registry in Asaba to facilitate the reconstruction of the file.

Despite the prosecution closing its case promptly, the defense took over a year to open its own case.

In his judgment, Justice Enemor held that the prosecution had proved its case beyond a reasonable doubt. He subsequently convicted the defendant and sentenced him to death by hanging.