



CRIME

Court frees homicide suspect, reunites him with family in IDP camp

From Isiyaku Bara'u Zak-kah, Maiduguri

A Borno State High Court sitting in Maiduguri has discharged and acquitted a suspect standing trial for over four years on a one-count charge of culpable homicide.

Mohammed Sakwe was accused of hitting his friend with an object to death on March 10, 2011, at a farm in Doguri village of Kukawa Local Government Area of the state, following a disagreement that ensued

between them.

The prosecution counsel told the court that on hearing that the victim died, the accused person ran away from the village for seven months before he returned and was arrested by the police.

In his judgment, Justice Wakkil said of the four witnesses the prosecution pleaded to summon, only the Investigating Police Officer (IPO) who was not a witness to the alleged murder testified but failed to tender the object allegedly used in hitting the

deceased.

Justice Wakkil said: "In the case at hand, there is no eyewitness to state what had actually transpired. Furthermore, the provision of Section 42 (1) of the Evidence Act states that there is no evidence to show that the accused person's act was the cause of the death.

"Perhaps, the testimonies of the remaining witnesses would have enabled the court to come to a definite conclusion of intention or otherwise. This case is bereft of sufficient evidence to ground a conviction.

It has not been proved beyond reasonable doubt that the act of the accused person led to the death of the deceased."

Worried that the accused person has been in custody for more than four years, Justice Wakkil discharged and acquitted him, directing that the court should write a letter for the prison authorities to escort him to the internally displaced persons (IDP) camp where people from his area were staying, since his village was ravaged by insurgency, to reunite with his family.

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