

# Court discharges woman accused of murdering her father

From Inemesit Akpan-Nsoh, Uyo

A HIGH Court in Akwa Ibom State, presided over by Justice Edem Akpan, on Friday discharged and acquitted one Glory Dan, who has been standing trial before it on a one count charge of murder.

The judge, after going through the submissions of both the state (for prosecution) and the defence, concluded that there was no proof by the prosecution of the use of lethal weapon by the accused person to inflict injury on the deceased.

Delivering judgment on suit no HIT/3C/2017, he said: "I do not believe the attempt of the prosecution to infer that the cane the accused collected from the deceased and used on him in retaliation caused the death of the deceased".

The accused was brought before the court on May 5, 2016, when she decided to confront her father, Bassey Dan of Mbiakpan Atan village in Ibiono Ibom Local Government Area of Akwa Ibom, for being responsible for her marital problems. It was gathered that Glory decided to attack her father because it was revealed to her in a dream by her late mother that her father was the one behind the death of her two husbands.

According to the statement she volunteered to the police, when she visited her father and requested that he open the door that fateful day, the father refused. She forcibly gained access through the window, demanding to know why her father was silent about her marital sufferings. She told the court that rather than respond to the question, the father pulled

a cane he kept behind the door and caned her.

In retaliation, she said she snatched the cane and caned her father twice before running out of the room with the father chasing after her. According to her, she fell down at her mother's grave.

When the Investigating Police Officer (IPO), Insp. Gabriel Sunday, visited the scene, he told the court in his evidence that there was evidence of dried blood in the room. Surprisingly, the police failed to conduct an autopsy on the body to determine the cause of death.

Of the three witnesses called by the prosecution, none was an eyewitness. The accused who was the only defense witness claimed that as at the time she collected the cane, to beat her father in retaliation and left the compound, her father was not

dead.

Citing many authorities including the position of the Supreme Court in Joseph Lori & Anor Vs the State (1980) NSCQR 212 at 225 where it is held that: "A more useful medical evidence would not only have unequivocally established the cause of death but may have provided the necessary nexus between the death of the victim and the act of the accused," Justice Edem concluded that the prosecution has failed to prove her case beyond reasonable doubt.

"Therefore the issues of determination are resolved in favour of the defense," he said. Accordingly, the case was dismissed.

O.P. Okpo led the prosecution team for the state, which included Kokoette Eyo and Idongest Timothy, while Nsisong Udofia appeared for the defence.