



ELIZADE UNIVERSITY, ILARA-MOKIN, ONDO STATE.  
PROF YEMI OSIBAJO FACULTY OF LAW  
SECOND SEMESTER 2018/2019 ACADEMIC SESSION  
BACHELOR OF LAWS (LL.B.) DEGREE EXAMINATION

CRIMINAL LAW II (PIL 302)

Answer Four Questions in all. Attempt two questions from each section.

Time Allowed: 2 ½ Hours

SECTION 1

1. At about 3pm on 3<sup>rd</sup> June 2019. Bade a part 3 law student of Elizade University was accosted by three (3) policemen who announced to him that he was under arrest. Bade sought to know why he was been arrested and the three police announced the reason for his arrest by kicking, slapping and beating him after which he was bundled into their waiting van and taken to an Akure Police Station. On getting to the Akure Police Station, his personal effects like wrist watch, phone, belt and money were collected and Bade was promptly thrown inside the police cell and was there till 7<sup>th</sup> June 2019 when he was brought out of the police cell. He was told that his younger brother Ayo has been reported to the Police that to owe house-rent house and refused to pay or pack out and that all efforts to effect the arrest of Ayo proved abortive hence Bade's arrest. He was asked to make statement and was returned to the cell. He charged to the Magistrate Court, Akure on the 23<sup>rd</sup> June 2019. Using the provisions of the Administration of Criminal Justice Act 2015 and the improvements therein, advise Bade. (15marks)
2. "The purpose of the Administration of Criminal Justice Act is to ensure that the system of administration of criminal justice in Nigeria promotes efficient management of criminal justice institutions, speedy dispensation of justice, protection of the society from crime and protection of the rights and interests of the suspect, the defendant, and the victim".  
With above statement in mind and using copious judicial and statutory authorities to support your answer, critically discuss the above statement. (15marks)
3. Using statutory and judicial authority to buttress your point, critically discuss the aims of criminal punishment. (15marks)

SECTION 2

4. X, Y and Z are business men who resides in Lagos. On the 21st day of March, 2019 at about 7pm, while on their way home from their business place, they were violently attacked by three men named Jaguda, Afonzo and Askari who subsequently carted away their valuable items.

The accused persons were later apprehended by the police. It was discovered later that the gun used during the incident was a toy gun. You have been contacted as a lawyer by the victims.

(a) With the aid of judicial authorities, briefly discuss the offence committed by the accused persons and what is the punishment?

(b) Will your position in paragraph 1(a) above be same or different if the victims were seriously wounded during the attack? If yes, then discuss the offence committed with the aid of statutory authorities and the punishment for same? (15marks)

5. Mr. Orims (40 years) old, Madam Cinderella (30 years) old pregnant woman and Okaka Guru (15 years) old, colluded and conspired with a foreigner to levy war against the State of which they owe allegiance. However, they were caught by the police prior to the execution of their plans.

(a) Discuss with the aid of statutory and judicial authorities the nature of the offence committed?

(b) What is their punishments under the Criminal Code? (15marks)

6. Briefly expantiate on the factors that motivated the abolition of Customary Criminal Law in Nigeria. (15marks)