



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

CRIMINAL LAW I – PIL 301

TIME: 3 HOURS

INSTRUCTION: QUESTION 1 IS COMPULSORY. IN ADDITION TO QUESTION 1, ANSWER THREE OTHER

1. Three friends and partners-in crime, Jeunkooku, Arirebanije and Lukudi held meetings three times in different locations in Koseru, a town close to Ore in Ondo State to rob banks within the State and they all planned to look for bankers who might give them information on the promise of sharing the proceeds of robbery with such informant. On 4th March, 2019, Arikumasa, the marketing manager of Fairweather Bank Plc, Alagbaka, Akure Branch, knew that a bullion van would move in the sum of N40, 000, 000. 00 from the Central of Bank to his said Alagbaka Branch of Fairweather Bank Plc. Arikumasa passed this information to Jeunkooku, who in turn shared the information with Arirebanije and Lukudi. At 8.00 am of the said date, Arirebanije called Kosoro, a commercial bank operator, who the three man gang had always relied on in their previous robbery operations, to take the trio from Koseru to Fairweather Bank Plc, Alagbaka, Akure Branch for the robbery operation. Because of the distance and risks involved in the proposed operation, Kosoro charged the three man gang the sum of N1, 000,000.00 and took them to the bank for the robbery. On arrival at the bank, the gang met Weko, a notorious political thug and requested him to do a look-out for possible arrival of the Police and to signal to the three man gang in the event of such Police presence. Jeunkooku, Arirebanije and Lukudi forced their way into the bank with heavy gunfire and had successfully got hold of N30,000,000.00 out of the targeted fund when Weko sighted an approaching Police patrol van and signaled to the gang. The gang quickly rushed out of the bank and made away with the said N30, 000, 000.00. Shortly after their departure, luck ran against the gang and they were arrested along with Kosoro. Police in the course of investigation also arrested Weko and Arikumasa.

You have just been appointed the Director of Public Prosecutions of Ondo State and the Police have referred the case file to you for your advice. Write out your advice with reference to the relevant paragraph of Section 7 of the Criminal Code to which the involvement of each criminal suspect in the robbery will fall.

2. The actus reus of an offence can be established through positive act or omission of a criminal defendant. Discuss.
3. Explain why a defence counsel cannot raise the defences of self-defence and insanity at the same time in respect of the same allegation of crime.
4. State two inchoate crimes you know and set out their respective constituent ingredients with reference to appropriate case law authorities.
5. With the aid of decided cases, enumerate the constituent ingredients of the crime of assault.
6. Enumerate the theories that have been put forward as the bases for prescribing punishments for attempted crimes.