



**NATIONAL OPEN UNIVERSITY OF NIGERIA
FACULTY OF LAW
DEPARTMENT OF PUBLIC LAW
2021_1 EXAMINATION QUESTIONS**

JUNE, 2021 EXAMINATION

COURSE CODE: PUL342
COURSE TITLE: CRIMINAL LAW II
CREDIT UNIT: 4
TIME ALLOWED: 3 HOURS

Instruction: ANSWER QUESTION 1 (ONE) AND ANY OTHER 3 QUESTIONS. ALL QUESTIONS CARRY EQUAL MARKS (15 MARKS) EXCEPT QUESTION 1 WHICH CARRIES 25 MARKS.

- 1a. Jibrin, a Public Officer demanded the sum of thirty thousand Naira from Bello in order to help facilitate the processing of his application for compensation in respect of Bello's acquired land by the government. Jibrin is being charged for the offence of bribery and has come to you to tell him what constitutes guilty acts in the offence of bribery.
- 1b. A policeman arrested Gerald while stealing a i-phone from a parked car. The policeman demanded that Gerald gives him one hundred thousand naira in order for him not to be taken to the police station. Advise the prosecution as to the possible offence committed by the policeman, if any stating the elements of the offence.
- 1c. James informed Otunba Balogun of his gubernatorial ambition of the State. Otunba remembered that James has been one of his loyal boys and decided to help sponsor him with the sum of fifty million Naira. James however upon collecting the money used it to build a house in his village. Otunba was informed of this development and was very aggrieved with James. Otunba wants his money back. Advise him on the legal action to take to retrieve his money.
2. Sentencing deals with punishments imposed in a criminal trial upon an accused person found guilty. Discuss the aim of sentencing and five factors considered by the court in passing sentence.

3. Dr. Hassan is a consultant Obstetrics deployed to the Nigerian Navy Medical Centre as part of his Military assignment as a medical doctor. Favour, a patient for antenatal care of pregnancy was brought to the Centre some hours ago. Favour developed some complications and was attended to the nurses as Dr. Hassan was not available. By the next day, he came for ward round and was told of her situation, he merely wrote a letter of referral without examining her even though she was bleeding seriously from the vagina. When she was eventually operated upon in the referred hospital, she had lost the baby, had a ruptured uterus. She was told she will not be able to deliver a child again. Dr. Hassan has been charged for negligence. He is seeking your advice and claiming that the General Court Martial has no jurisdiction to try him.

Advise him as to;

- a) the kind of offence that the Court Martial can handle,
 - b) Those that can be dealt with by the Court Martial
 - c) His chances of success
4. Jacob was charged for the offence of perjury having falsely stated during the proceedings trying him for the offence of receiving stolen property that he had two vehicles whereas he has four. Advise the prosecution on whether the alleged false testimony is relevant to Jacob's trial for receiving stolen property and the likelihood of him being successfully prosecuted for the offence of perjury.
 5. Tim a twenty year old student had sexual intercourse with Jenny aged thirteen at the bungalow of his friend's house. Jenny showed no resistance. On a charge of rape, Tim argued that Jenny consented and that there was no resistance. With the aid of judicial authorities explain to Tim the ingredients of the offence of rape and his chances of success.
 6. Write short notes on the following inchoate offences
 - a. Conspiracy
 - b. Attempt