Alleged rape: Court discharges UNIBEN lecturer

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Source: https://punchng.com/alleged-rape-court-discharge-uniben-lecturer/

An Edo State High Court sitting in Benin, on Friday, discharged and acquitted a lecturer with the University of Benin, Dr Omowumi Steven, who was standing trial for alleged sexual assault (rape) of a 400 Level female student of the university.  
  
The senior lecturer in the Department of English and Literature, University of Benin, was accused of sexually assaulting a final-year female student of the department in his office on October 5, 2021.  
  
Consequently, the accused was issued a query and placed on interdiction pending the final determination of the case in court by the management of the university.  
  
He was subsequently arrested and arraigned for sexual assault but was later granted bail.  
  
However, after over three years of legal battle, the High Court in Benin, discharged and acquitted the accused, citing a lack of substantial proof and evidence against him.  
  
Ruling on the suit marked B/CD/8CV/22, Justice Mary Itsueli, said that the prosecution team failed to prove their case against the accused.  
  
Justice Itsueli, while upholding the no-case submission filed by the defence counsel and former Attorney General and Commissioner for Justice, Edo State, Dr Osagie Obayuwana, maintained that the evidence of the PW 1 (the nominal complainant) was not corroborated with the evidence of the remaining five prosecution witnesses.  
  
The judge also maintained that the prosecution team failed to tender the University of Benin Teaching Hospital medical report as exhibited during the trial.  
  
Itsueli held that the prosecution team could not establish the three main ingredients of rape which she listed to be penetration, sexual intercourse and no consent, adding that the penetration must be linked with the defendant.  
  
She also held that the police never carried out a thorough investigation before charging the accused in court.  
  
She said, “The prosecution case is bereft of evidence and in a criminal case, the claimant is required to prove his/her case beyond reasonable doubt.  
  
“I found no reason to call the defendant to enter the dock for his defence. No case submission of the defence counsel is hereby upheld.  
  
“The case is hereby dismissed for lack of evidence and the accused is discharged and acquitted,” Justice Itsueli ruled.