

MOUKA EMMANUEL  
AGBOR, DELTA STATE  
NIGERIA

NPF  
DELTA STATE POLICE COMMAND  
ASABA, DELTA STATE  
NIGERIA  
OTHERS

## REQUEST FOR WITHDRAWAL OF FALSE CHARGE OF MURDER BY POLICE AND OTHER AUTHORITIES.

The laws allows the Police and other authorities to immediately withdraw the false charge on review and verification of facts presented. I did not give a statement.

- ADMINISTRATION OF CRIMINAL JUSTICE ACT, 2015, Part 11 108, Part 35 355.
- ADMINISTRATION OF CRIMINAL JUSTICE LAW, 2016 - DELTA STATE, Part 11 108, 109.

### ADMINISTRATION OF CRIMINAL JUSTICE ACT, 2015

#### **108. - Withdrawals from prosecution in trials and inquiries before a court.**

108. (1) In any trial or proceeding before a court, a prosecutor may, or on the instruction of Withdrawals from

the Attorney-General of the Federation, in case of offence against an Act of the prosecution in trials and inquiries

National Assembly, may, at any stage before judgment is pronounced, withdraw the before a court.

charge against any defendant either generally or in respect of one or more of the offences with which the defendant is charged.

(2) On the withdrawal, where it is made:

(a) before the defendant is called upon to make his defence, he shall be discharged of the offence; and

(b) after the defendant is called upon to make his defence, he shall be acquitted of the offence.

(3) In any trial before a court in which the prosecutor withdraws in respect of the prosecution of an offence before the defendant is called upon to make his defence, the court may, in its discretion, order the defendant to be acquitted if it is satisfied, on the merits of the case, that the order is a proper one, and when an order of acquittal is made, the court shall endorse its reasons for making the order on the record.

(4) Where a private prosecutor withdraws from a prosecution for an offence under the provisions of this section, the court may, in its discretion, award costs against the prosecutor.

(5) A discharge of a defendant under this section does not operate as a bar to subsequent proceedings against him on account of the same facts, except as otherwise provided under this section.

## **ADMINISTRATION OF CRIMINAL JUSTICE LAW, 2017 - DELTA STATE**

**108.** (1) In any criminal proceedings for an offence created by a Law of the State, and at any stage of the proceedings before judgment, the Attorney-General of the State may discontinue the proceedings either by stating in court or informing the court in writing that the Attorney-General of the State intends that the proceedings shall not continue and based on the notice the suspect shall immediately be discharged in respect of the charge or information for which the discontinuance is entered.

(2) Where the suspect:

(a) has been committed to prison, he shall be released; or

(b) is on bail, the recognisance shall be discharged.

(3) Where the suspect is not:

(a) before the Court when the discontinuance is entered, the

Registrar or other proper officer of the court shall

immediately cause notice in writing of the entry of the

discontinuance to be given to the officer in charge of the

prison or other place in which the suspect may be detained

and the notice shall be sufficient authority to discharge the

suspect; or

(b) in custody the Court shall immediately cause notice in

writing to be given to the suspect and his sureties and shall

in either case cause a similar notice in writing to be given to

any witnesses bound over to prosecute.

(4) Where discontinuance is entered in accordance with the provisions

of this section, the discharge of a suspect shall not operate as a bar to any

subsequent proceedings against him on account of the same facts.

Discontinuance of

criminal cases.

**109.** (1) In any trial proceedings before a court, a prosecutor, may, or on

the instruction of the Attorney-General of the State, in case of offence

against a Law of the State, may, at any stage before judgment is

pronounced withdraw the charge against any defendant either generally or

in respect of one or more of the offences with which the defendant is charged.

(2) On the withdrawal, where it is made:

Withdrawals from  
prosecution in  
trials and inquires  
before a court

## My request

Kindly refer to these acts and laws to speedily ensure my release from Agbor prison.

I attached both referenced documents "ADMINISTRATION OF CRIMINAL JUSTICE ACT, 2015" and "ADMINISTRATION OF CRIMINAL JUSTICE LAW, 2016 - DELTA STATE".

The document "facts and evidences" is attached for review and verification of factual events on April 19, 2022 and other dates before and after indicating the assassination attempts, robberies, poisoning attempts, destruction of my property amongst other attacks I suffered. Witnesses and evidence are presentable. I reported to Agbor police as early as February 12, 2022. An officer came to my premises on the report. The officer was informed of the attacks I was experiencing. I "should not" be held liable for a murder accusation.

Mouka Emmanuel

February 16, 2023