



NATIONAL OPEN UNIVERSITY OF NIGERIA
FACULTY OF LAW
DEPARTMENT OF PUBLIC LAW
2019_1 EXAMINATION QUESTIONS
APRIL, 2019

COURSE CODE: PUL 342

COURSE TITLE: CRIMINAL LAW II

CREDIT UNITS: 4

TIME ALLOWED: 2 ½ HOURS

INSTRUCTION: ANSWER QUESTION 1 (ONE) AND ANY OTHER 3 (THREE) QUESTIONS. (QUESTION 1 (ONE) ATTRACTS 25 MARKS WHILE OTHERS ARE 15 MARKS EACH)

- 1.(a) The offence of receiving property by false pretence and the offence of Cheating are the same. Discuss with the aid of authorities.
- (b) Mr. Jacobs, a lecturer at Great University discussed the possibility of obtaining a plot of land in Surulere with his friend, Mr. Harvard. They both agreed that Mr. Harvard should be given the sum of N2,000,000.00 for the purpose and that the land should be purchased in Mr. Harvard's name and subsequently transferred to Mr. Jacobs. After buying the plot of land, Mr. Harvard refused to transfer the land to Mr. Jacobs. Mr. Harvard has been charged to court for:
 - (i) Conversion of the sum of N2,000,000.00; and
 - (ii) Stealing the piece of land.Determine his criminal liability.
- 2.(a) In the offence of stealing, there are several intents specified by law in proving fraudulent intention on the part of anyone taking or converting the property. Discuss with the aid of authorities any three of such intents.
- (b) A intends to acquire an International Passport with the aim of travelling to Spain. He approached B who claims to be an immigration officer. B obtained N200,000.00 from A and that he will assist him procure an international passport. B failed to procure the passport and did not return the money. What offence if any has B committed?
3. A, a public officer working in the University Teaching Hospital demanded and received the sum of N500,000.00 from B, with the promise of assisting B's son secure admission into the university. In his charge for bribery, A claimed that he is not liable for bribery as the money received does not relate to his office. Advise the prosecution with the aid

of authorities, on the claim by A and whether he can be successfully prosecuted for bribery.

- 4.(a) With the aid of authorities, distinguish between murder and manslaughter.
 - (b) Peter and John were riding a bicycle on their way to the market when John was attacked by a masquerade and a fight ensued between the masquerade and John. Isaac, one of the masquerades, came to the scene and held Peter, who was attempting to break the fight. At this stage, another fight ensued between Peter and Isaac during which Peter threw Isaac to the ground and was on top of him. Isaac then drew an army jackknife from his sheath that was tied to his waist and stabbed Peter twice in the abdomen. Peter later died in the hospital. Isaac has been charged for murder. Determine what defences if any is available to him.
5. Generally in Nigeria, the law does not permit the killing of a human being by another. However, there are instances where such killings are lawful. Discuss with the aid of authorities.
 6. With the aid of authorities, write short notes on the following:
 - (a) Retribution
 - (b) Deterrence .