

ABSTRACT

Concursus criminal offense committed by the accused Nur Rohman Bin Paeran who have committed murder and theft which preceded the violence that caused the death of victims Alfakizi alias Mohammad Faris. Nur Rohman killed Faris Faris started as often upset when Nur Rohaman together drinking-liquor, once Nur Rohaman planned to kill Faris, after killing Faris Nur Rohman directly bring possessions Faris then sell. Nur Rohaman defendant by the prosecutor charged with Article 340 of the Criminal Code on premeditated murder and article 362 of the Criminal Code on theft and demanded 20 years in prison. The judges agreed with the demands of the Public Prosecutor except about the length of punishment to be imposed against the defendant.

Analysis tools used in the Memorandum of Law is that by using a legal interpretation grammatically based on sound laws based on the meaning of words in relation to one another in the phrase used in the legislation then linked with the position of the case and the facts law.

Based on an analysis of the facts and legal materials and application of the law in this case, it can be concluded that the prosecution on the charge of first with Article 340 of the Criminal Code on premeditated murder has been proven legally and convincingly by law, but in the second charge both more appropriate if Public Prosecutor lay claim to the Article 365 of the Criminal Code because it is based on facts and testimony of witnesses and testimony from the accused and the evidence that exists, has met the elements of Article 365 of the Criminal Code that is about the theft with violence causing death preceded.