



EFCC ARRAIGNS FORMER KWARA GOVERNOR ABDULFATAH AHMED FOR N10BN FRAUD

The Ilorin Zonal Command of the Economic and Financial Crimes Commission, EFCC, has arraigned the immediate past governor of Kwara State, Abdulfatah Ahmed before Justice Evelyn Anyadike of the Federal High Court sitting in Ilorin.

He was arraigned on a 12-count charge bordering on alleged mismanagement of public funds to the tune of N10billion.

Count one of the charges reads:

“That you, ABDULFATAH AHMED (while being the Governor of Kwara State) between 2015 and 2019 in Ilorin within the jurisdiction of this Honourable Court used an aggregate sum of N1,610,730,500.00 (One Billion, Six Hundred and Ten Million, Seven Hundred and Thirty Thousand, Five Hundred Naira) property of Kwara State Government, meant for the security and running cost of the Government of Kwara State to charter private jets through Travel Messengers Limited on different occasions for your local travels and which sum you reasonably ought to have known formed part of the proceeds of your unlawful act, to wit: Criminal Breach of Trust or Theft and you thereby committed an offence contrary to Section 15(2)(a) of the Money Laundering (prohibition) Act, 2011 (As Amended) and punishable under Section 15 (3) of the same Act”.

Count three of the charges reads:

“That you, ABDULFATAH AHMED (while being the Governor of Kwara State) and ADEMOLA BANU (while being the Commissioner of Finance of Kwara State), between January and December 2018 in Ilorin, within the jurisdiction of this Honourable Court, conspired between yourselves to commit an offence, to wit: Conversion of the sum of N411,000,000.00 (Four Hundred and Eleven Million Naira) property of Kwara State Government meant for the provision of security in Kwara State, which sum you reasonably ought to have known was a proceed of an unlawful act, to wit; theft/fraud and you thereby committed an offence contrary to section 18(a) of the Money Laundering (Prohibition) (Amendment) Act, 2012 and punishable under section 15(3) of the same Act”.

The former governor was charged alongside his commissioner for finance, Ademola Banu who neither appeared in court nor had legal representation when the case was called.

Banu, who was listed as the second defendant on the charge sheet is facing a 10-count charge also bordering on mismanagement of public funds while he served under Ahmed’s administration as commissioner for finance.

When the matter was called, EFCC’s lead counsel, Rotimi Jacobs, SAN, informed the court that Banu jumped an administrative bail granted him by the EFCC and efforts to arrest him had proved abortive. He urged the court to rely on Section 83 of the Administration of Criminal Justice Act (ACJA) to issue a summons against his surety, Salami Bashiru Ola and/or warrant of arrest against the second defendant (Banu).

The defence led by Kehinde Eleja, SAN, did not put any defence in favour of the second defendant as he said that his appearance was for the first defendant.

In a short ruling, Justice Anyadike issued a bench warrant against Banu.

Thereafter, the court took the plea of the first defendant on each count. When the charges were read to him, he pleaded not guilty.

Upon his plea, Jacobs urged the court to fix a date for trial, but Eleja through an oral application prayed the court to admit his client to bail. Citing Section 162 of the ACJA, the defence counsel said all the twelve counts against the defendant are bailable. Therefore, he prayed the court to exercise its discretion in favour of the defendant

Jacobs in response, opposed the bail application by the defence, but conceded the fact that bail is at the discretion of the court.

After listening to the arguments and counter-arguments of both counsels, Justice Anyadike admitted the first defendant to bail in the sum of N50million with two sureties in like sum. According to the judge, the sureties must deposit their passports with the court's registrar. One of the sureties must have a landed property in Ilorin with the title documents of the property deposited with the Registrar of the Federal High Court. The sureties must also produce evidence of payment of electricity bills for the last three years.

In addition to the listed conditions, the judge ordered that the sum of N50million must be paid as bond into the litigation account of the Federal High Court, which will be returned to the sureties after the final determination of the case, but forfeited to the Federal Government in the event the defendant jump bail.

As part of the bail conditions, the court also ordered that the international passport of the defendant be kept with the court's registrar, which the former governor must apply to get if the need arises for him to travel abroad for medical reasons.

The judge thereafter ordered the defendant to be remanded in EFCC custody pending the perfection of his bail terms. He adjourned to April 29 and 30, 2024 for commencement of trial.

Ahmed, among sundry issues allegedly spent the sum of N1,610,730,500.00 meant for the security and administration of the state to charter private jets when he held sway as governor between 2015- 2019 in contravention of Section 15(2)(a) of the Money Laundering (Prohibition) Act, 2011 (As Amended) which is punishable under Section 15 (3) of the same Act.

He was also accused of failing to make a declaration in the Assets Declaration Form offered him by the officers of the EFCC after he was arrested contrary to Section 27(3)(c) of the Economic and Financial Crimes Commission (Establishment) Act No. 1 of 2004, which is punishable with a term of 5years imprisonment under Section 27(3) of the same Act.

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