



VOL 10 NO 11 NOVEMBER 2021

# EFCC ALERT!

## *Mainagate: The Full Story*

Setting Records  
Straight

Anti-Terrorism  
Tonic

Mission to  
INTERPOL



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## ***Mainagate: The Full Story***

**The antics and campaign of calumny against the EFCC by a former Chairman, Pension Reform Task Team, to evade justice, fail, as he begins a new life in jail for N2billion pension fraud**

BY SEGUN ADEOYE

**T**he rather wry smile, and characteristic ebullient swag outside the courtroom on Monday, November 8, 2021 at a Federal High Court, Abuja, are no doubt, merely a decoy to conceal his bitter agony of defeat. Deep down in his heart, and indeed, closet, which is now the Kuje Prisons (known as Correctional Centre), Abuja,

Abdulasheed Maina, former Chairman, Pension Reform Task Team certainly has ample time to chew over the N2billion pension heist he schemed and orchestrated. "Had I known," he must be muttering intermittently, as he gazes out from the prison windows to see the birds freely gliding across the sky. Freedom is sweet, but Maina finally

lost his, that Monday, when Justice Okon Abang of a Federal High Court, Abuja convicted him for the N2billion pension fraud charges brought against him by the Economic and Financial Crimes Commission, EFCC. He was arraigned on October 25, 2019, charged with 12 counts bordering on money laundering, operating fictitious bank accounts and fraud. Following the





Faisal Maina

conclusion of investigations, the EFCC accused Maina of perpetrating pension fraud by "taking possession of a total sum of N1,822,074,690 through your Fidelity Bank account". He was also accused of using his sister's name to operate a UBA bank account, whereas he was the operator of the account and using the same to divert N58,111,585 pension funds to personal use. His son, Faisal, was on October 7, 2021 sentenced to 14 years in prison by Justice Abang for his role in the N58million fraud traced to UBA. Not surprisingly, Maina pleaded "not guilty" to all the charges. Thus commenced a trial that remarkably took only two years. However, as is characteristic of criminal matters involving politically exposed persons, the two-year trial has been more like a soap opera with several jaw-dropping episodes. Twice he jumped bail, and severally he absented himself from court with no genuine reasons causing a scenario, which made his surety, Ali Ndume, a serving Senator, to have a taste of the Kuje prison's cuisine. It was Monday, November 23, 2020 when Maina's persistent absence (for the fourth time) from trial irked the court, with Ndume, mourning his inability to produce Maina following expiration of a 21-day grace given him by the

***"taking possession of a total sum of N1,822,074,690 through your Fidelity Bank account".***

court. But the Court would have none of the whining, and sent him to prison.

"The law must be followed," Justice Abang held.

Ndume later gained his freedom on November 27, 2020 after the Court granted him bail following his appeal against his imprisonment at the Court of Appeal. However, the Court revoked the bail of Maina, earlier granted on November 25, 2019, varied on January 28, 2020, and further varied on June 29, 2020. Subsequently, a bench warrant was ordered for his arrest.

He was later arrested somewhere in Niger Republic and taken into custody. With his bail revoked, Maina tried to play a fast one during the 2021 Court's Vacation period as he approached a vacation judge, Justice Ahmed Mohammed of a Federal High Court, Abuja seeking to be granted bail. The judge, however, saw through his gimmick and held that his application was a contentious

one, which could not be heard during the court's vacation, and subsequently returned the case to Justice Abang, "to hear the bail application after the court's vacation". The application was dismissed.

The EFCC closed its case on December 9, 2020 after calling nine witnesses and tendering tonnes and tonnes of documents to prove the case against Maina. But the prosecution rather than open his defence, filed a no-case submission. The application was later dismissed and he was ordered to enter his defence. Maina called only one witness to defend him.

**The Verdict**

By the time Justice Abang hit the gavel on November 8, 2021 to draw the curtain on his N2billion fraud trial, even Maina himself knew that justice was truly being served.

"I want to apologise for anything that I may have done," he said, before his sentencing, as his counsel, Olusegun Jolawo, SAN, prayed the Court to give him "a second chance", and to "impose the minimum possible punishment". But as far as Justice Abang was concerned, "an abnormal situation requires drastic actions to send a message to those that believe in dishonesty".

Having held that the EFCC proved its case beyond every reasonable doubt,





Justice Abang convicted Maina and his company, Common Input Property and Investment Ltd, on all the 12 counts and ruled thus: "Having considered the monumental fraud of how the pension funds were stolen, over N2.1 billion by the first Defendant, it is a clear case that the convict is inhumane, heartless and has no compassion for the pensioners.

"Through the assistance of UBA and Fidelity Bank Plc, the convict deprived the pensioners that gave their all to this country in their youthful age, their legitimate earnings, whilst the convict was feeding fat on their sweat faraway in Dubai, the United Arab Emirates, buying choice properties, driving bulletproof cars, living in affluence beyond his legitimate earnings." Maina was subsequently sentenced to three years on count one, five years on count two, eight years on count three, eight years on count four, two years on count five, five years on count six, eight years on count seven, three years on count eight, five years on count nine, eight years on count 10, three years on count 11 and three years on count 12

- a cumulative 61 years in jail. The terms of imprisonment, the Judge held are, however, to run concurrently beginning from October 25, 2019, when he was first arraigned.

Along with his jail term, Maina was ordered to return N1 billion to the Federal Government within 90 days from the day of the judgement, while his company convicted along with him, should refund N183 million and \$223,000 within 90 days.

#### **Dateline 2015 - 2021**

For six years Maina played hide-and-seek with the blind lady justice, whose patience is so legendary that though her wheel may grind slowly, yet grinds fine. Indeed, following the conclusion of investigations into the pension fraud, the anti-graft agency pencilled Maina down along with many others for prosecution, for their various ignominious roles in the monumental fraud running into billions of naira. The sight of pensioners collapsing on queues under the scorching heat of the sun waiting endlessly to collect their pension money meant nothing to

***“an abnormal situation requires drastic actions to send a message to those that believe in dishonesty”***

the likes of Maina.

He was to have been arraigned in 2015, but he went into hiding. In a couple of other pension fraud cases prosecuted by the EFCC he was labelled "at large". The EFCC was compelled to declare him wanted; in fact, he was declared wanted at two different times.

He was incommunicado (believed to be holed up in Dubai, United Arab Emirates), yet from his hiding, he was dishing out views and suggestions on how to recover stolen pension funds. His return to active civil service in Nigeria caused a stir, which resulted in the officers of the Department of State Services, DSS, effecting his arrest and that of his son, Faisal, in an Abuja hotel, handing them over to the EFCC for further investigation and prosecution.

Late in 2015, Maina had embarked on a campaign of calumny against the

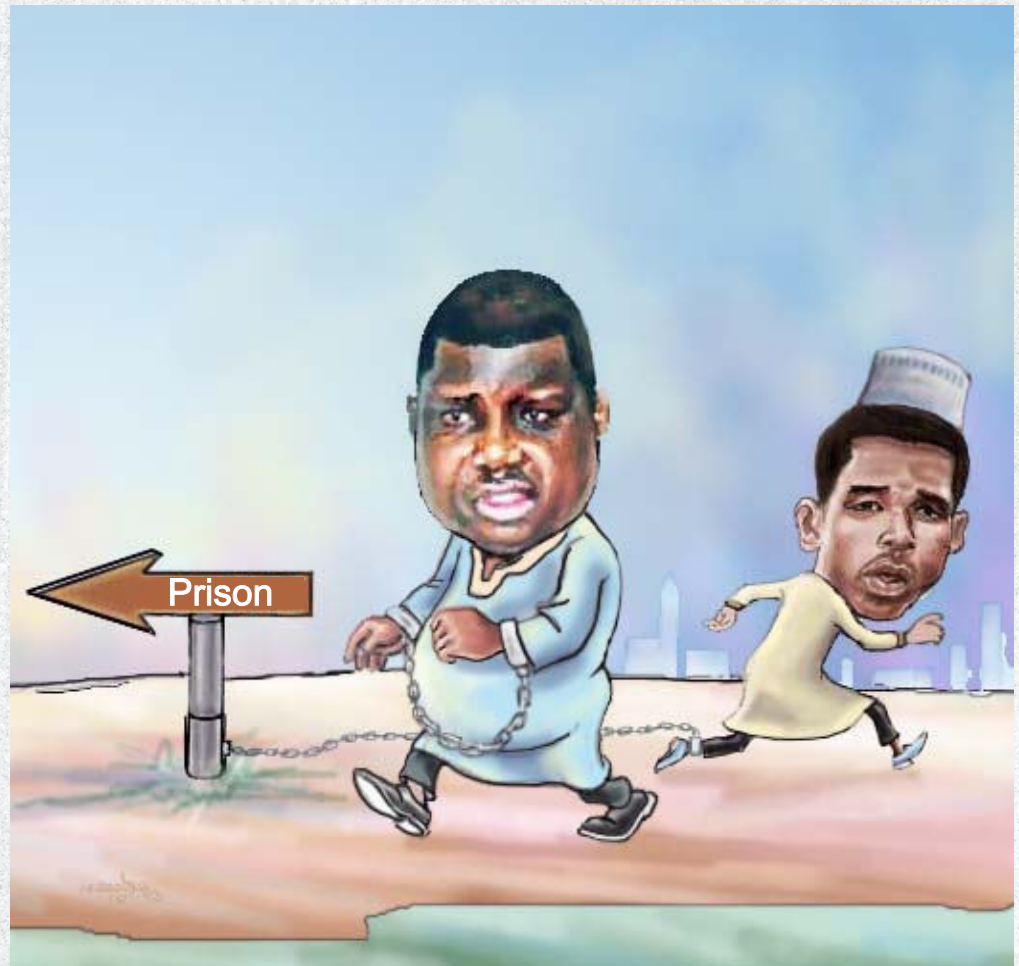


EFCC engaging the services of a popular radio station fondly referred to as Brekete family radio to alter the narrative. At a handful of programmes aired on the station, through some persons and sometimes phone call from his hiding, he accused the EFCC of being the one whose officials squandered pension funds he claimed to have helped recover. In 2017, he further took his accusation to the ad hoc committee of the House of Representatives investigating his then reinstatement into the civil service. The EFCC's clarification-making delegation addressed the Committee on November 30, 2017 to set the records straight.

Among other clarifications, the delegation made it clear that: "The EFCC has no record of any collaboration between it and the Maina-led Pension Reform Task Team in the investigation of pension fraud. The only link between the EFCC and Maina was [perhaps] the participation of a few staff of the Commission in a biometric verification exercise by the Maina Task Team. The leader of the EFCC team at the time was Col. I.D. Sule (retd.), a contract staff who was head of the Commission's Servicom Unit. The verification exercise was not a criminal investigation and no asset was recovered in the process. "Maina did not hand over a single asset, supposedly recovered from pension fraud suspects, to the Commission. If Maina claims to have evidence to the contrary, he is at liberty to disclose the number and types of assets that he handed over to the EFCC; disclose from whom the assets were recovered; disclose the date, time and venue where the handing over took place and name the official that received the assets from him.

"It follows that if the Commission did not receive any assets from Maina, its officials could not have shared what never existed.

"Again, those who claim that there was 'sharing' of assets, are at liberty to state which assets were 'shared',



when the 'sharing' took place, who supervised the 'sharing', and who got what.

"As far as the Commission is concerned, all the assets recovered from pension fraud suspects, currently at the disposal of the EFCC, are products of its independent investigation. The assets were recovered from suspects of pension fraud in both the Police Pension and the Pension Office of the Office of the Head of the Civil Service of the Federation."

#### What next?

All of Maina's gimmicks to evade justice are now history. And according to the EFCC Chairman, Abdulrasheed Bawa, "the Commission will study the judgement and we are going to implement the pronouncement [of the Court] to the letter."

Indeed, the EFCC has a couple of pending court cases against Maina, including those involving properties

seized from him as proceeds of his illegal acts, which are to be forfeited permanently to the Federal Government.

He was on November 20, 2019 arraigned alongside one Ann Igwe Olachi before Justice Abubakar Kutigi of the Federal Capital Territory High Court, Gwagwalada, for N738.6 million fraud bordering on contract racketeering and stealing. The case is pending.

Maina is accused of collecting "bogus" allowances in the course of the pensioners' biometric enrolment exercise he claimed to have initiated; the allowances were remitted into his account by Olachi, his secretary. Meanwhile, the EFCC remains focused and determined to see to the very end of all the pension fraud cases it is prosecuting, including those in which Maina is still involved. And like Justice Abang noted, it is hoped that the fate that has befallen Maina, will make his likes have "a rethink and turn a new leaf". ■



# Setting Records Straight

*The EFCC Chairman, Abdulrasheed Bawa, in a breakfast programme on TVC, speaks on a number of currently burning issues bordering on efforts of the anti-corruption agency to tackle corruption in Nigeria. Excerpts:*

### Conviction of Abdulrasheed Maina for pension fraud

We are going to implement the pronouncement [of the Court] to the letter. The banks are complicit and there are some issues raised there and we are looking at that already. Anything that has to do with judgement of the Court has to be complied with in total. And so, the banks are involved, so we are going to go after them as well. We are very happy that we secured the conviction. And of course the restitution to the government. We still have another case that is ongoing. We also have civil forfeiture cases on some of these properties. So if you look at the big picture, I think we are good to go. The issue of pension fraud is something that is mind-boggling and we are looking at that. We recently held a sensitization programme titled, "Eradication of Pension Fraud in Nigeria". So we are working to ensure that we have sanity within the system.

### Other corruption cases

The cases are on, they are going on well. I am happy to inform you that as at the last count, which is the fourth of November, within the year under review we have recorded 1,499 convictions, which is unprecedented in the history of the Commission. The highest number of convictions that the Commission secured previously was 1,282 or thereabout. So, we have beaten that record. I have said it time and again, no agency of government has contributed to the development of law in Nigeria in the last 10 years than the EFCC. We are all over the place trying to see that we eradicate economic and financial crime through the court processes and other preventive measures that we have in place.

### Purported diamond bra of Diezani Alison-Madueke

The diamond bra. You have accused us several times of engaging in [a] media trial, but I think that it is good to be fair to everybody at all times. Justice is a two-way thing. There was nothing like diamond bra. It is just a creation of social media. I can tell you that for free, because I am the lead investigator of that search and I am not aware of it. If there was something like that I should know, because I led the

search

### Human rights violation, harassment during hotel raids

We are in a world of social media, where any small thing can be magnified [beyond the ordinary]. It is not in our character [to harass anybody]. That is not what we set out to do. That is not what has happened. From January to date, we have arrested nothing less than 2,000 alleged suspected cybercriminals across the country. And then you have one or two persons complaining; of course, we need to be concerned about the human rights of people. But then, look at the ratio, vis-a-vis people that were arrested and people that are complaining. Indeed, we look inwards to see where we are wrong, and we correct and address it. But I want to assure you that all of the sting operations that we carried out, we carried them out professionally, within the ambit of the law, we are a law abiding institution and we will continue to be a law abiding institution.

It is part of our responsibilities to investigate suspected cybercriminals. All those sting operations that we carried out came as a result of a series of surveillance activities as well as intelligence and information gathered before we moved in. In Lagos alone from January to now, we have carried out sting operations in several locations, and if only one or two are complaining out of thousands of such sting operations, I think it is still a pass mark.

### Conviction records

From January to November 16, 2021 we have recorded an unprecedented 1,576 convictions; it is an unprecedented number of convictions. We are changing the narrative here, because I will also want to report that 122 were discharged and acquitted. Now compare that with the success that we have recorded in terms of convictions. It shows that we lost less than 10 percent of our cases. That means when you compare by way of measurements, you will see that it is a 90 percent success rate.

### Kogi State bailout fund

The records are straight. Based on what we told the Court, the Court agreed with us and the funds were frozen. Of course,



at the end of the day, the funds have been returned back to the Central Bank of Nigeria for the betterment of Nigerians that are to utilise the funds. We have recovered N20billion from the bailout fund that was given to them. So that is the record and the evidence is there. We are not setting out to be engaging with people on the pages of newspapers or press conferences. We are working hard trying to see what we can do behind the scenes [to eradicate corruption]. And very soon, Nigerians are going to see some of the things that we are doing. I can tell you for free that the new Department of Intelligence that we have created is working wonders. They have come up with a lot of intelligence. In one of them, a governor in a North-Central state within the last six years (one individual) has withdrawn over N60billion in cash. We are looking at all of that, and I assure you that at the end of all of our investigations, Nigerians are going to be briefed of what we are doing behind the scene on cybercrime, politically exposed persons as well as engaging government agencies to ensure that we have better processes and procedures on how to do government business.

### Ex-state governors' corruption cases

I can assure you that we are working [on them]. We don't want to talk about matters that are under investigation. Yes, we invited a former governor [Lucky Igbiniedion] for interrogation. He was with us for two days and he has been released; investigation is ongoing, but we are being careful and cautious, so we won't be accused of engaging in a media trial. ■



## Anti-Terrorism Tonic

*The EFCC begins national risk assessment of not-for-profit organizations to tackle money laundering and terrorism financing*

**A**s part of efforts to combat the increasing cases of money laundering in Nigeria, the Economic and Financial Crimes Commission, EFCC, on November 15, 2021 flagged-off a nationwide risk assessment of non-profit organizations.

The programme, which is a collaborative initiative of the EFCC through the Special Control Unit against Money Laundering, SCUML, and relevant stakeholders in the public and private sectors, is aimed at checking and effectively monitoring the activities of such organizations, in order to check rising cases of money laundering and terrorism financing.

The EFCC Chairman, Abdulrasheed Bawa noted the increase in activities of such organizations in Nigeria especially in the North East, where the country is challenged by a humanitarian crisis created by the Boko Haram terrorist group. He stressed that the absence of a unified comprehensive regulatory and supervisory framework for the sector remains a source of worry for the authorities.

"This gap, and Nigeria's performance in the last Mutual Evaluation Exercise where the country received a non-compliant rating in FATF's Recommendation 8, (that requires a review of the adequacy of laws and regulations that relate to Non-profit Organizations), provides the impetus for the national risk assessment," he said.

The assessment will ensure that those organisations at risk of being used for terrorism financing and money laundering are identified and so tagged.

"This will ensure improved compliance with relevant international, regional and domestic laws/regulations," he said. "It will also help in enhancing



described the engagement as a robust opportunity to discuss the menace of money laundering and terrorism financing, and to "come up with a comprehensive report to mitigate identified risks".

The Director, International Non-Governmental Organization Forum, INGO Forum, Chiara Crenna, in her remarks, expressed the willingness of INGO in Nigeria to work with SCUML and the EFCC towards the success of the risk assessment programme.

Director of the Nigerian Network of NGOs, Oluseyi Oyeibisi, pledged the organization's support to the

programme.

coordination and collaboration between government regulatory/law enforcement agencies, and the civic space."

The Director, SCUML, Daniel Isei,

"This programme is the start of an important journey, and an example for the rest of Africa, on how regulators and operators can partner in fighting money laundering," Oyeibisi said. ■



# Mission to INTERPOL

*The Nigerian delegation to the 89th General Assembly of INTERPOL in Istanbul, Turkey made lasting impression*



Nigerian and Turkish delegation at a meeting



AIG Garba Umar, EFCC Chairman Abdulrasheed Bawa and IGP Alkali Baba

**The Assembly which had in attendance 470 Police Chiefs, Ministers and Senior Law Enforcement Officials from the 195 INTERPOL member countries, examined areas where the organization can reinforce the global security architecture and enhance collaboration against national and transnational crimes**

transnational crimes

Additionally, the membership of the Federated States of Micronesia was adopted.

Others in the Nigerian delegation included the Minister of Police Affairs, Alhaji Mohammed Maigari Dingyadi who led the team, the Inspector General of Police, Usman Alkali Baba and the Executive Chairman of the Economic and Financial Crimes Commission, EFCC, Abdulrasheed Bawa.

On the sideline of the event, the EFCC Chairman attended a bilateral meeting between Nigeria and Turkey, where several Law Enforcement related issues were discussed. The Turkish government was represented at the meeting by its Minister of Interior, Suleyman Soylu. ■



L-R EFCC Chairman Abdulrasheed Bawa, Minister of Police Affairs, Mohammed Dingyadi, Inspector General of Police, Usman Alkali Baba and Head of NCB, Assistant Inspector General of Police, Garba Umar

**N**igeria's participation in the recently concluded 89th General Assembly of INTERPOL which held in Istanbul, Turkey, between November 23 and 25, 2021 could best be described as remarkable with one of the delegates, Assistant Inspector General of Police Garba Umar emerging as the new Vice President of the global body,

representing Africa.

The Assembly which had in attendance 470 Police Chiefs, Ministers and Senior Law Enforcement Officials from the 195 INTERPOL member countries, examined areas where the organization can reinforce the global security architecture and enhance collaboration against national and



## Filthy Wig

*Lagos court sentences a lawyer to seven years in prison for perjury, fabrication of evidence*

**H**e who seeks equity must do so with clean hands, goes the maxim. Perhaps, Kenneth Chukwuemeka Ajoku kept this agelong maxim in his right hand and has used it to eat isi ewu (popular goat head soup in Eastern Nigeria); if this is not the case, why would a trained lawyer who passed through the four walls of Nigeria's Law School, wilfully present false information in court even under oath!

In 2017, the EFCC received intelligence that a group of fraudsters were selling Federal Government properties. Subsequently, he and his accomplices were invited for questioning; he refused to honour it, despite the fact that invitation was sent to him on several occasions. Operatives visited his office to effect an arrest, but he was not available.

However, Ajoku swore an affidavit on

oath before Justice Idris Buba, then of the Federal High Court, Ikoyi, Lagos claiming that he was arrested and detained by EFCC operatives on May 4, 2017. He also demanded N300 million as damages; but the Court dismissed the application and ordered him to present himself for investigation by the EFCC. Instead, he approached the Court of Appeal, Lagos Division, where he again presented false facts to frustrate investigations.

The appellate court, however, dismissed his appeal, as the EFCC later arraigned him on two counts of perjury and fabrication of evidence, before Justice Mojisola Dada of a Lagos State High Court, Ikeja. He pleaded "not guilty".

In the course of trial, the prosecution called three witnesses and tendered several documents.



Delivering judgment on October 29, 2021, Justice Dada found him guilty of the charges and sentenced him to seven years in prison with an option of fine of N2,500,000.

## Cunning Solomon

*A businessman swindles his client of N2.65million, goes to jail*

**T**his Solomon is a cunning and unwise fellow, a sharp contrast to the Biblical King Solomon, after whom he is named. Or, how else can you describe Solomon Okonkwo, who was sentenced to one year in prison by Justice Maryam Sabo of a Kano State High Court, for the offences of breach of trust and misappropriation of N2,650,000.

Okonkwo was accused of obtaining the said sum from his victim for the purchase and supply of Shortwave Diathermy Machine; but instead of fulfilling his own side of the agreement, he bolted with the money and diverted the same to his personal use.

He pleaded "not guilty" when he was arraigned. At the end of the trial, the prosecution called two witnesses and tendered several documents to prove

the case against him.

In his judgment, Justice Sabo held that the prosecution proved its case beyond reasonable doubt and sentenced him to one year imprisonment with an option of N50,000 as fine. He was also ordered to reconstitute the complainant the sum of N2,800,000. In the event that he fails to refund the money to his victim, he is to serve an additional one year in prison.

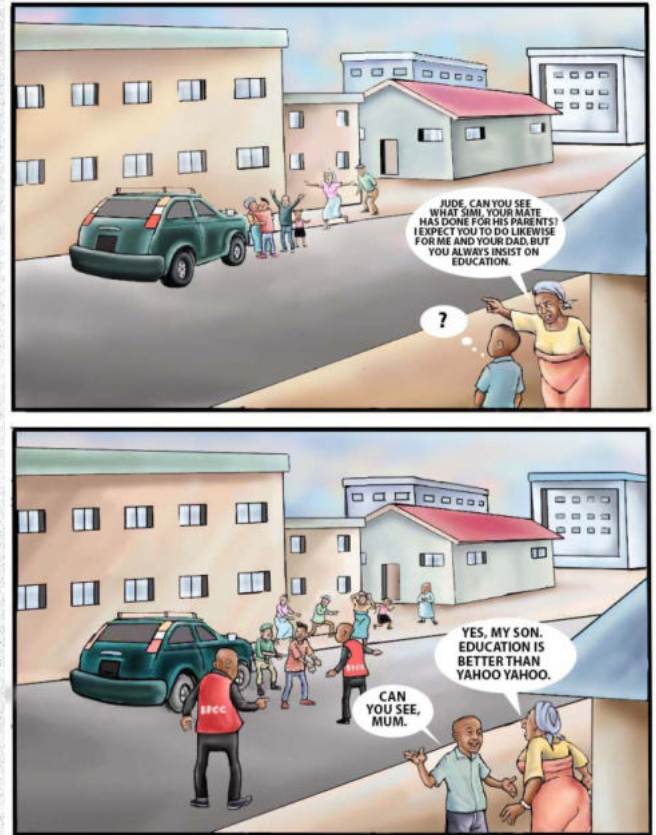
**Justice Sabo held that the prosecution proved its case beyond reasonable doubt and sentenced him to one year imprisonment with an option of N50,000 as fine**





## Crooked Mother and Son

A mother stands trial for an alleged N15million fraud, after victim was defrauded by son



**T**he Maiduguri Zonal Command of the Economic and Financial Crimes Commission, EFCC, on November 1, 2021 arraigned one Asabe Lazarus Dibal before Justice Aisha Kumaliya of the Borno State High Court, sitting in Maiduguri on a one-count charge bordering on criminal misappropriation to the tune of N15million.

The defendant is alleged to have converted the said sum meant for payment to the complainant who was defrauded by the defendant's son, Nehemiah. Lazarus allegedly collected the money from the complainant, but could not pay back as promised. Afterwards, the complainant, defendant and her son through their lawyers signed an

**"taking possession of a total sum of N1,822,074,690 through your Fidelity Bank account".**

agreement to use the 10 vehicles owned by Nehemiah for a "car hire business" and the proceeds derived to be paid to the complainant monthly until the N15million was fully repaid.

The defendant, who was in custody of the monthly proceeds from the car hire business, however reneged on her promise of paying the monies derived from the business to the complainant as

agreed by all parties, prompting a petition to be brought to the EFCC.

The charge reads: "That you, Asabe Lazarus Dibal, sometimes in 2019 at Maiduguri, Borno State within the jurisdiction of this Honourable Court, did dishonestly misappropriated the gross sum of N15,000,000.00 (Fifteen Million Naira) only belonging to one Bulus Moses and thereby committed an offence contrary to section 308 of the Penal Code Cap 102 Laws of Borno State of Nigeria and Punishable under Section 309 of the same Law."

The defendant pleaded "not guilty" upon arraignment.

The case is ongoing. ■





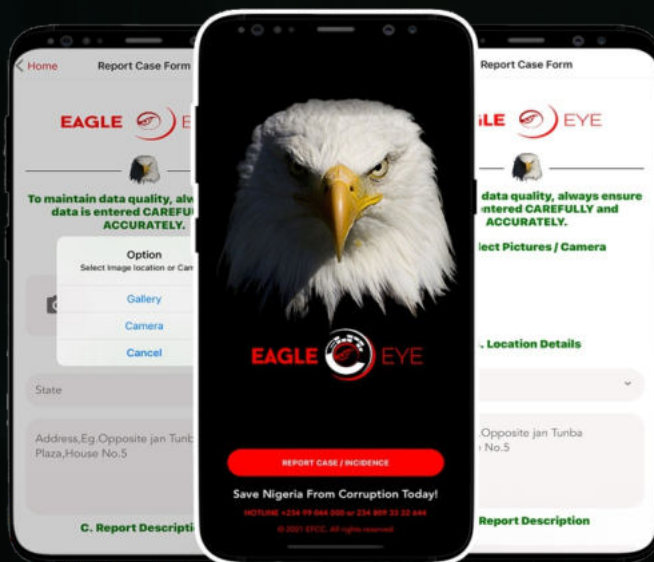
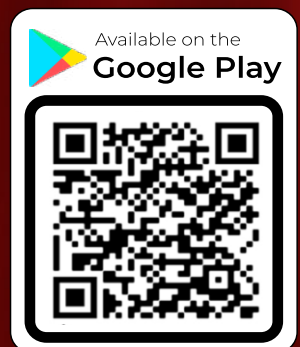
Economic and Financial Crimes Commission  
announces the launch of



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