

IN THE HIGH COURT OF JUSTICE OF BAUCHI STATE
IN THE BAUCHI JUDICIAL DIVISION
HOLDEN AT BAUCHI

SUIT NO BA/36C/2022

BETWEEN

FEDERAL REPUBLIC OF NIGERIA.....COMPLAINANT

AND

IBRAHIM ALIYU.....DEFENDANT

21.....02.....2022

PARTIES- Defendant in Court

APPEARANCE:

A.Y MUNTAQA- For the Complainant

ABUBAKAR I. GARBA- For the Defendant

MUNTAQA- Before the court are two count charge, dated 7/02/2022 and filed a same date.

Accompanying the charge is an affidavit of investigation brief facts of the case, list of witnesses intended to call by the prosecution, list of documents, and also copies of trial documents.

The offences are triable by this court. No charge was filed before this one in another court. I urged you to take cognizance, the charge accept same as formal charge before the court and cause same to be read to the defendant for his plea.

COURT- The application by the complainant's counsel is granted, and the charge against the defendant shall be read to his understanding for the purpose of his plea.

SGD

HON. JUSTICE MU'AZU ABUBAKAR

JUDGE

21/02/2022

CERTIFIED TRUE COPY
HIGH COURT OF JUSTICE
BAUCHI

B
Ato Adamu
High Court Bauchi
04-5-2023.

COUNT ONE:

COURT- Do you understand the 1st count charge

DEFENDANT- Yes

COURT- Are you guilty of the charge

DEFENDANT- I am guilty

COUNT TWO:

COURT- Do you understand the 2nd count charge

DEFENDANT- Yes I Understand

COURT- Are you guilty

DEFENDANT- I am guilty

MUNTAQA- By virtue of the defendant's plea of guilty he has lease the duty of the prosecution and I urged you to summary convict the defendant accordingly.

COURT- The defendant in this case having pleaded guilty to the two count charge against him, I hereby convict the defendant for the commission of the offences contrary to sections 96 and punishable under section 97 of the penal code in respect of the 1st count. I also convict the defendant for the commission of the offence in the second count charge which is contrary to section 320 of the penal code law and punishable under section 322 of the same law.

SGD

HON. JUSTICE MU'AZU ABUBAKAR

JUDGE

21/02/2022

GARBA- From the plea of the defendant he has shown remorse, he is a family man with more than 20 dependants. He is also a retiree.

We urged the court as 1st offender also to temper justice with mercy in sentencing the defendant.

MUNTAQA- As stated by the defendant counsel he is a 1st time offender, the amount involved has been restituted fully in the cause of investigation, we urged for the obsolete to the defendant employer to transmit the whole amount to the victim.

CERTIFIED TRUE COPY
HIGH COURT OF JUSTICE 2
BAUCHI

B-7 Ado Adama
Reg. High Court Bauchi
021 - 2022

COURT- I have listen to the defendant's counsel plea of mercy in favour of the defendant and the reasons stated in his submission and as well the response by the complainant's counsel.

In consideration of the two learned counsel submissions I hereby sentenced you IBRAHIM ALIYU to 3 months imprisonment with option of N50,000 for the 1st count charge.

You are also sentenced to 2 years imprisonment with option N100,000 fine for the second count charge.

The terms of imprisonment shall run concurrently.
The defendant's employer shall transmit the restituted amount to the victims of the offence.

SGD

HON. JUSTICE MU'AZU ABUBAKAR
JUDGE

21/02/2022

CERTIFIED TRUE COPY
HIGH COURT OF JUSTICE
BAUCHI

B. A. Ademu
Reg. High Court Bauchi
21-5-2023

IN THE HIGH COURT OF JUSTICE OF BAUCHI STATE
IN THE BAUCHI JUDICIAL DIVISION
HOLDEN AT BAUCHI

CHARGE NO.: *BA/369/22*

BETWEEN

FEDERAL REPUBLIC OF NIGERIA

.....

COMPLAINANT

AND

IBRAHIM ALIYU

.....

DEFENDANT

THE CHARGE

COUNT 1

That you, **IBRAHIM ALIYU**, in your capacity as Deputy Planning Director of the Bauchi State Ministry of Land and Survey sometime in 2019 at Bauchi, Bauchi State within the Jurisdiction of this Honourable Court, did conspire with **SALISU WADA** a Staff of the Bauchi State Ministry of Land and Survey and **JUMMAI YARO** a Staff of Bauchi State Agricultural Development Programme (BSADP) to commit an offence to wit: obtain money by false pretence contrary to the provision of **Section 96 of the Penal Code Law and punishable under Section 97 of the same Law.**

COUNT 2

That you, **IBRAHIM ALIYU**, in your capacity as Deputy Planning Director of the Bauchi State Ministry of Land and Survey in conjunction with **SALISU WADA** a Staff of the Bauchi State Ministry of Land and Survey and **JUMMAI YARO** a Staff of Bauchi State Agricultural Development Programme (BSADP) sometime in 2019 at Bauchi, Bauchi State within the Jurisdiction of this Honourable Court, did dishonestly induce one Mustapha Bala to deliver to you the sum of **₦1,100,000.00 (One Million, One Hundred Thousand Naira only)** for the sale of Plot No. OW-29 covered by Right of Occupancy No. BA/38750 situated at BSADP Quarters Bauchi State which sum you diverted to your own use and thereby committed an offence contrary to the

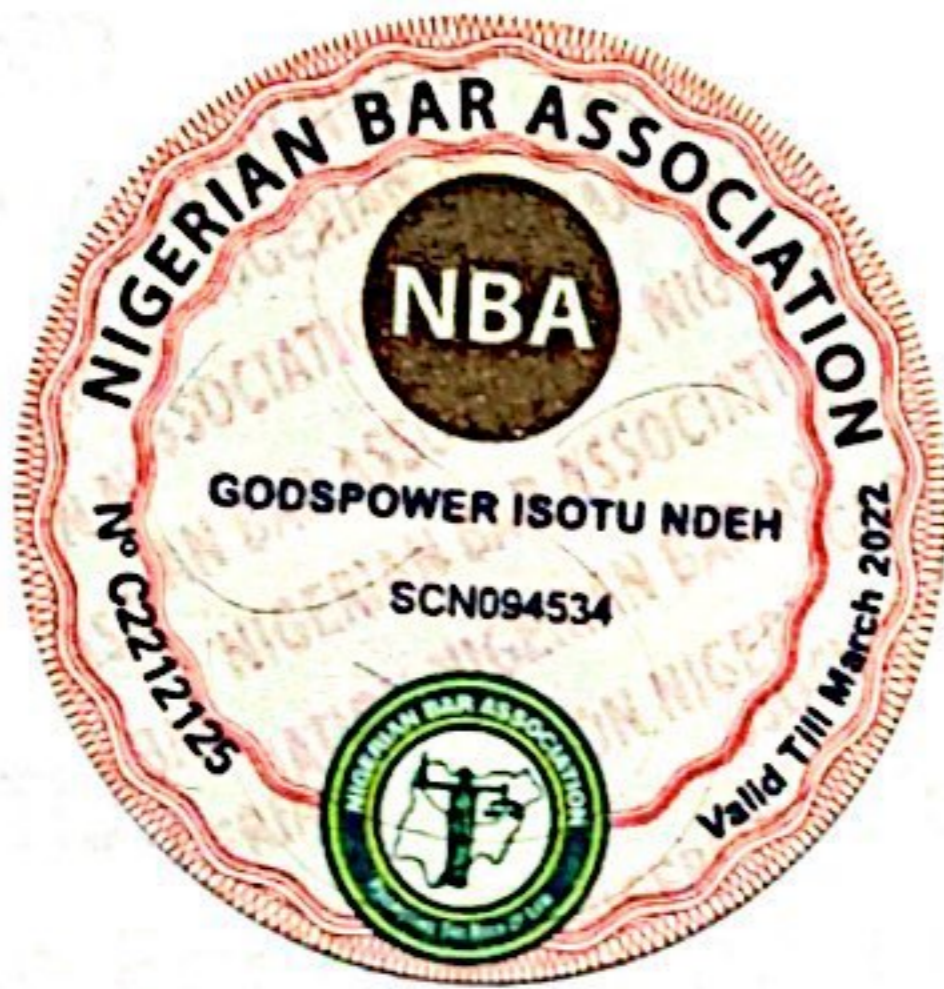
¹ *Fed. Govt. Action*

REGISTRAR PROCEEDS
HIGH COURT OF JUSTICE
BAUCHI STATE

[Signature]
07/02/22

provisions of **section 320(a) of the Penal Code** and punishable under **section 322** of the same Law.

Dated this 7th Day of February 2022



A handwritten signature in blue ink, consisting of several loops and a horizontal line extending to the right.

K.M.A OLUSHESI ESQ
ABUBAKAR ALIYU ESQ.
G.I. NDEH ESQ. ✓
M.O. TIJANI ESQ.
08084330091

Economic and Financial Crimes Commission
4 EFCC Street, New GRA Gombe, Gombe State.

**IN THE HIGH COURT OF JUSTICE OF BAUCHI STATE
IN THE BAUCHI JUDICIAL DIVISION
HOLDEN AT BAUCHI**

CHARGE NO.:

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FEDERAL REPUBLIC OF NIGERIA

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COMPLAINANT

AND

IBRAHIM ALIYU

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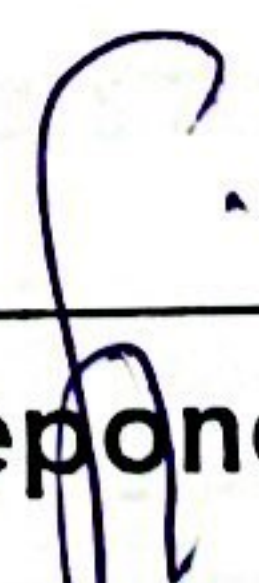
DEFENDANT

AFFIDAVIT OF INVESTIGATION

I, **TIJJANI SALIHU AHMAD**, Male, Muslim, Adult, Nigerian, an Operative with the Economic and Financial Crimes Commission of No. 4 EFCC Street, New G.R.A. Gombe, do hereby make Oath and states as follows:

1. That, I am an Investigation Officer attached to the Operations Department of the Economic and Financial Crimes Commission Gombe Zonal Command.
2. That, I am part of the team that investigated the case of the Defendant.
3. That, by virtue of my position as aforesaid, I am familiar with the facts of this case and the facts deposed herein in the Affidavit.
4. That, I have the consent and authority of the Complainant to depose to this Affidavit.
5. That, I know as a fact that, on the 4th day of January, 2021 a complaint was received by our office and same was assigned to our team for investigation.
6. That the complaint was pertaining to the offence of conspiracy and cheating.
7. That in the course of the investigation series of letters were written to various institutions and responses were duly received by the complainant.

8. That I know as a fact that our team did investigate the case.
9. That after the investigation, the investigation linked the Defendant with the commission of the offence.
10. That after the conclusion of the investigation, the case file was duplicated to the Legal Department for Advice and possible prosecution.
11. That at the Legal Department, the case was assigned to G.I. Ndeh Esq.
12. That I was informed by G.I. Ndeh Esq. the counsel directly handling this case on the 8th day of November, 2021 in our office in the course of briefing at around 13: 00hours and I verily believed him as follows:
 - (a) That from the investigation carried out, a prima facie case was made against the Defendant.
 - (b) That the investigation linked the Defendant with the offences with which he is now charged.
 - (c) That from the investigation carried out there are enough facts to make a case against the Defendant.
13. That, I depose to this Affidavit in good faith believing its contents to be true, correct and in accordance with the Oaths Act, 2004 (as amended).


Deponent

Sworn to at the High Court Registry, Bauchi, Bauchi State.

Dated07..... day ofFeb'..... 2022

COMMISSIONER FOR OATHS
BEFORE ME
PROCESS UNIT
HIGH COURT OF JUSTICE
BAUCHI
SIGN _____ DATE _____
COMMISSIONER FOR OATHS

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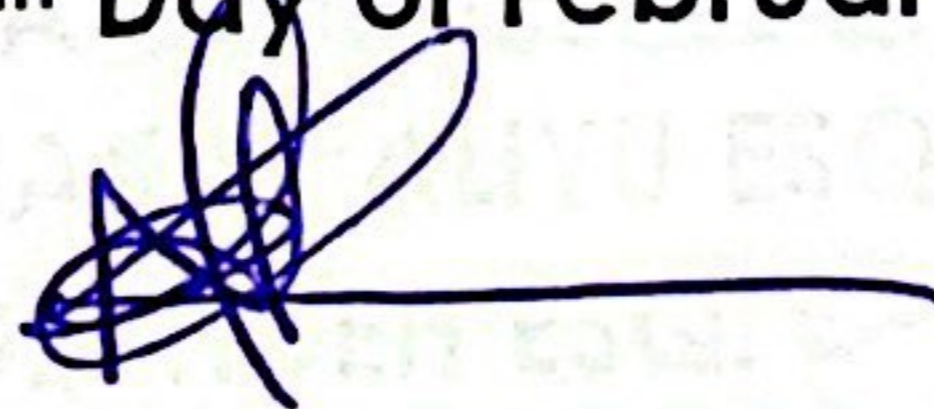
BRIEF FACTS OF THE CASE

This is a case reported to the Economic and Financial Crimes Commission via a written petition by Alhaji Baba Usman via a written petition dated 4th January, 2021 by Barr Alkassim Muhammad of S.G. Idrees & Co. Bauchi on behalf of Usman Bilyaminu Usman against the Defendant.

The Complainant alleged that sometime in May 2015, he was allocated a piece of land by Bauchi State Government with Certificate of Occupancy No. BA/38750, Plot No. DW-29 situated at Bauchi State Agricultural Development Programme Quarters Bauchi and that the size of the land is 704.92 square meters.

He further alleged that the suspects conspired and sold the said plot to one Mustapha Babaginda without his consent and converted the proceeds to their personal use.

Dated this 7th Day of February 2022



K.M.A OLUSHESI ESQ.

ABUBAKAR ALIYU ESQ.

G.I. NDEH ESQ. ✓

M.O. TIJANI ESQ.

08084330091

**Economic and Financial Crimes Commission
4 EFCC Street, New GRA Gombe, Gombe State.**

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FEDERAL REPUBLIC OF NIGERIA

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AND

IBRAHIM ALIYU

.....

DEFENDANT

LIST OF PROSECUTION WITNESSES

1. Isyaka Aliyu
2. Sheik Hamza Yakub
3. Mustapha Bala
4. Det. Abdullahi Surajo
5. Det. Tijjani Ahmad
6. Det. Ozioko Obiora
7. Det. Atukpa Mifel
8. Det. Okpapi Barnabas
9. Det. Ismail Sa'adu

Dated this 7th Day of February 2022



K.M.A OLUSHESI ESQ.
ABUBAKAR ALIYU ESQ.

G.I. NDEH ESQ. ✓

M.O. TIJANI ESQ.

08084330091

Economic and Financial Crimes Commission
4 EFCC Street, New GRA Gombe, Gombe State.

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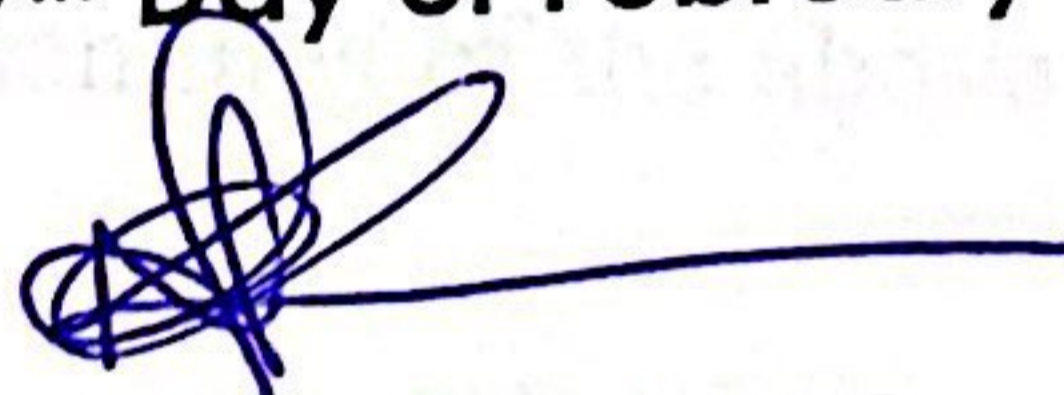
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DEFENDANT

LIST OF EXHIBITS/DOCUMENTS.

1. Letter of Petition
2. Statements of the Defendants
3. Letter of Investigation Activities to Honourable Commissioner, Ministry of Lands and Survey, Bauchi State and Response.
4. And any other document(s) relevant to this case

Dated this 7th Day of February 2022



K.M.A OLUSHESI ESQ
ABUBAKAR ALIYU ESQ.

G.I. NDEH ESQ. ✓

M.O. TIJANI ESQ.

08084330091

Economic and Financial Crimes Commission
4 EFCC Street, New GRA Gombe, Gombe State.



S.G. IDREES & CO

(AL-MUFEED LAW FIRM)

Barristers, Solicitors, Corporate and Property Consultants

AD: No. S. 250, Nafamals

Adjacent Zungur (Murtala Mohammed)

Bauchi, Bauchi State, N

GSM: 07037382182, 080861

E-mail: jikangoye@yahoo

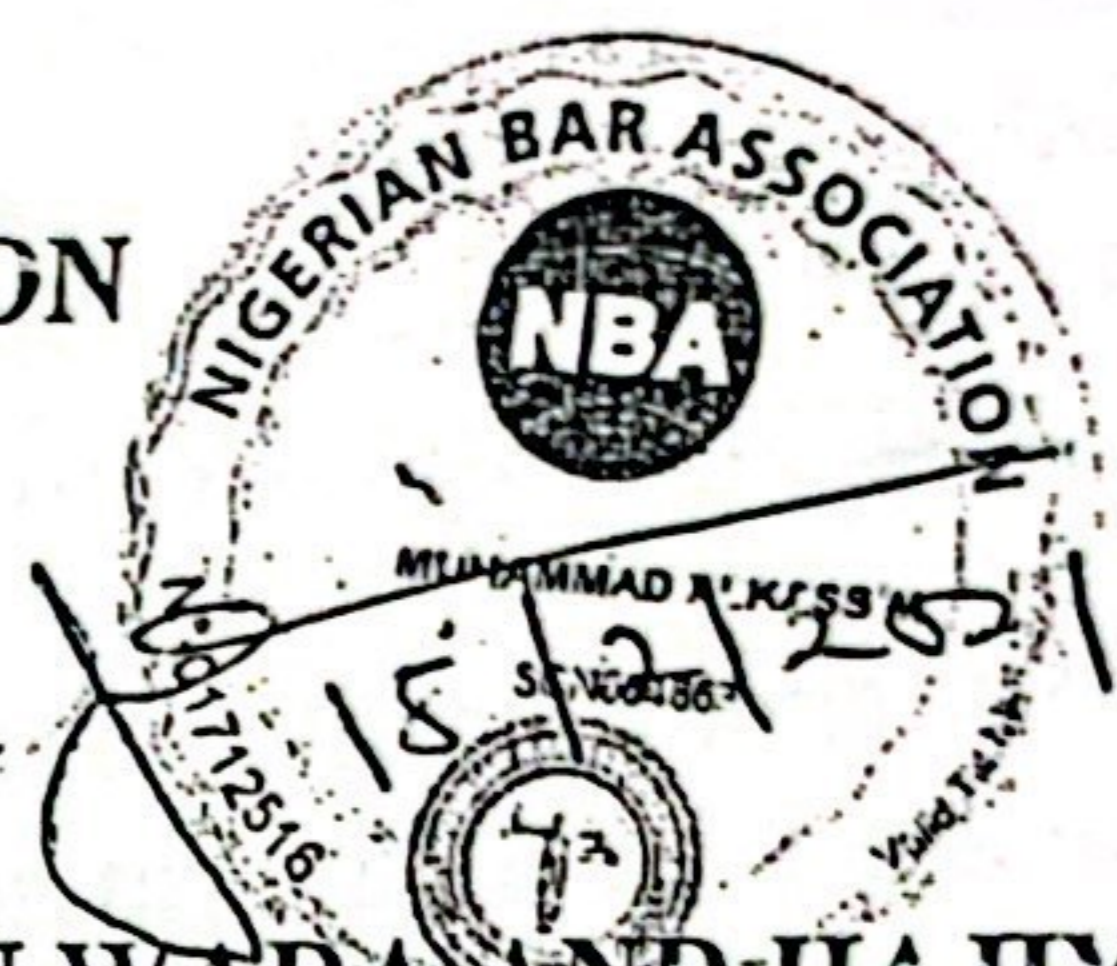
idressgamb072@gmail

PRINCIPAL PARTNER: S. G Idrees Esq, LLB, BL, DEPUTY PRINCIPAL PARTNER: Alkassim Muhammad Esq, LLB, BL
IN CHAMBERS: Sadiq Musa Esq, LLB, BL, Nanchit Danjuma LLB, BL, Auwal Abdulazeez Esq, LLB, BL,
Abdullahi Nuhu Esq, LLB, BL, L. M Arziki Esq, LLB, BL, Iliyasu Shekarau Esq, LLB, BL,
LITIGATION CESRETARY: Abubakar Namalam Shu'aibu.

Our Ref: _____ Your Ref: _____ Date: 4TH January

THE ZONAL HEAD
ECONOMIC AND FINANCIAL CRIME COMMISSION
GOMBE, STATE.

*H/LPFS
Investigate and
report*



Sir,

COMPLAINT AGAINST IBRAHIM ALIYU, SALISU WADA AND HAJIYA JUMMAI FOR ILLEGAL AND UNAUTHORISED SALE OF LAND AND ABUSE OF OFFICE.

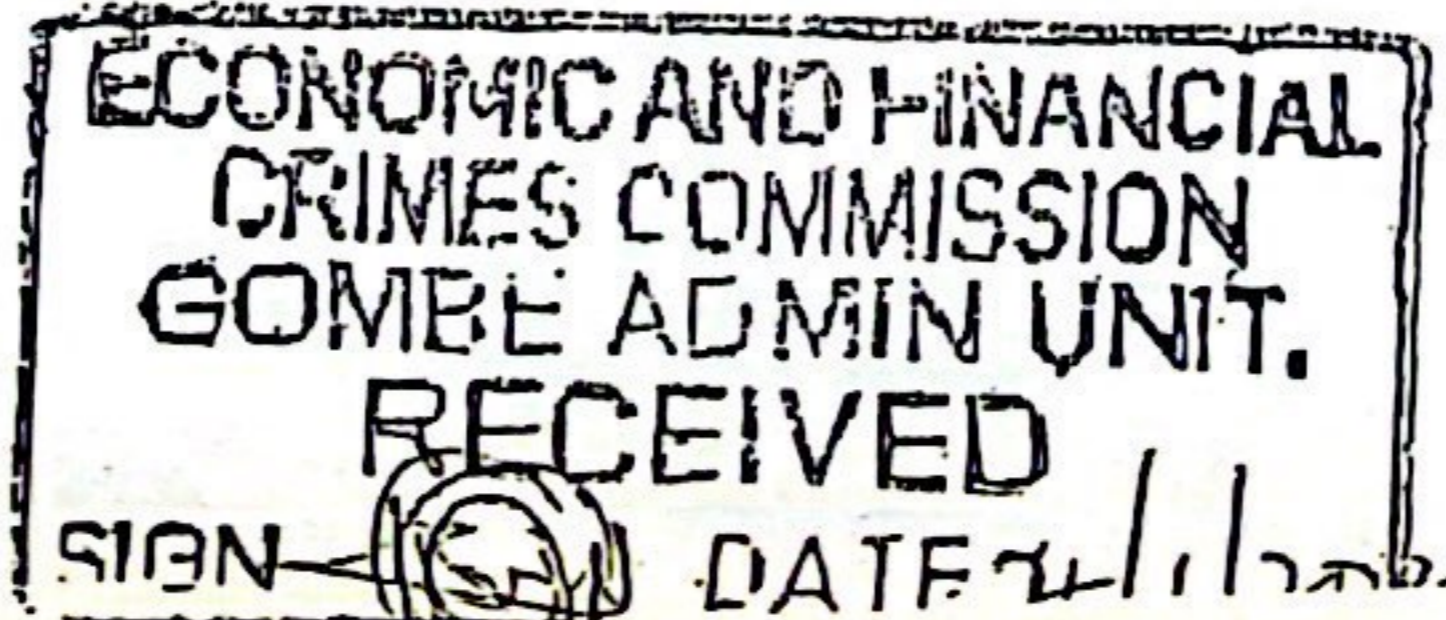
Above subject matter refers.
We write to forward complaint against the above mentioned personalities for criminally conspired and illegal sale of land Usman Bilyaminu Usman (THE EMIR OF DASS) who is referred to as our client.

Sir, let me begin by providing the identities of the above named persons and their position as Civil Servant.

- 1. Mal. Ibrahim Aliyu is a civil servant and a Deputy Director Planning, of the Bauchi State Ministry Land and Survey.
- 2. Mal. Salisu Wada is a civil servant and a Staff of the Bauchi State Ministry Land and Survey.
- 3. Hajiya Jummai a civil servant of Bauchi State under PSADP.

BACKGROUND

Sometimes in the 12th day of May, 2015 our client was allocated a piece of land by the Bauchi State Government via an instrument of Right of Occupancy with letter no. CER/BA/25605 with land description plot No. DW-29 part of BSADI' Quarters at Bauchi covered by grant No. BA/38750 LAN/35399 with about 704.92sqm. The copy of the Right of Occupancy is hereby attached to this letter.



Az

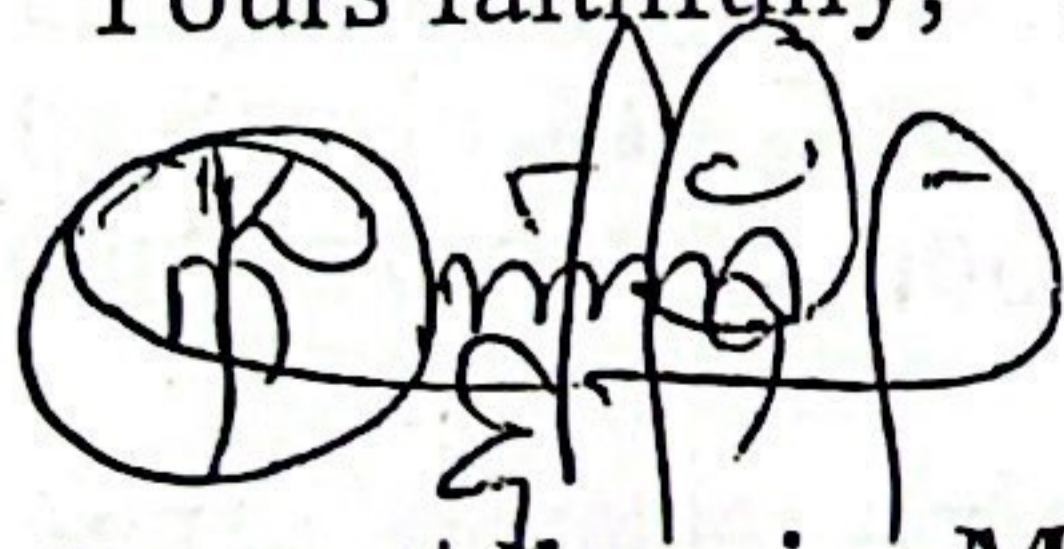
The said land which was allocated to our client for his personal use has been illegally sold by the respondents to this complaint being a civil servant and custodians of land in Bauchi State while the proceed of the illegal and conversion of our client land were used for their selfish reasons.

Sir, you may wish to note that Our client earlier notified the commissioner, ministry of land and survey by way of written complaint and pleaded with him to initiate investigation into the matter. Sir, investigation activities by the Bauchi State Development Board revealed the said land was sold to one Mustapha Babangida without our client consent. Sir, in attempt to address the issue Bauchi State Development Board(BSDB) gave notice to the said Babangida Mustapha to STOP AND REPORT inscribed on the ongoing building on the said land but same could not yield any positive result as he continued with his building in total disregard of the notice. The letters of complaint written to the Commissioner dated 30th January,2020 and 11th March,2020 is annexed herewith for your confirmation.

It may interest you to noted that despite series of intervention by other personalities to intercede on behalf of the respondents to even repay for the value of the said land in order to mitigate and soften the situation, the respondent could not adhered to. Note Sir, Mal. Ibrahim Aliyu (Deputy Director Planning) in his effort to settle his part of the problem had brought the sum of N500.000(Five Hundred Thousand Naira)Only having under took to repay his share of the illegal proceed and our client is ready to surrender the said amount as additional evidence. Other culprit Salisu Wada claimed to be untouchable but failed to even respond to our client demand while the other culprits has totally failed to even show up.

Sir, our client despite all frantic effort to reclaim his land from the culprits same proves abortive. Sir, the gamut of this letter is to make formal complaint against the respondents demanding serious investigation. Sir, it is on this premise that on behalf of our client we make a special plea to the Economic and Financial Crime Commission to cause necessary investigation and take necessary action.

Yours faithfully,



Barr. Alkassim Muhammad.
08033487843

BAUCHI STATE GOVERNMENT



Land. 3 35399
No. BS/ML & H/LAN
Ministry of Land and Housing
Bauchi State
P. O. Box 35, Bauchi.
27th May, 2015

To HRH. USMAN BILYAMINU OTHMAN,
EMIR'S PALACE, DASS.
EMIRATE COUNCIL, DASS.

U.F.S. Area Estate Officer

BAUCHI.

(in quadruplicate)

Sir,

APPLICATION FOR THE GRANT OF A RIGHT OF OCCUPANCY

With reference to your application dated 12th May, 2015 which was forwarded to this Ministry Under the Area Estate Officer's Letter No CER/BA/25605 of 12th May, 2015.

I am directed to inform you of the approval of a grant/~~grant~~ of a Right of Occupancy to you in respect of An area of about 704.92sqm. at Bauchi plot No. OW-29 Part of BSADP Quarters for residential use.

on the following terms:-

- | | | | |
|-------|---------------|------------------|-------------------|
| (i) | Rent | N 10,000.00 | Per hac per annum |
| (ii) | Improvement | N5,000,000.00 | (Within two) |
| (iii) | Term | 99 Years | Every five years |
| (iv) | Rent Revision | 5 years. | |
| (v) | Purpose(s) | Residential use. | |

2. This * grant/~~grant~~ is Right of Occupation No BA/38750

3. I am to add that the following conditions will also be inserted in the Certificate evidence the "grant/~~grant~~ of this right of occupancy:-

(I) "Within two years from the date of commencement of this Right Occupancy to erect and complete on the land the building or other works specified in detailed plans approved or to be approved by Bauchi State Development Board or other Officer so appointed. Such building or other words to be of not less than N 5,000,000.00 (Five Million Naira only).

And to be erected and completed with such plans to the satisfaction of the Chief Architect Bauchi State Development Board or other officer so appointed.

(ii) "Not to rect or build or permit to be erected or build on the said land, building other than those covenanted to be erected by virtue of the Certificate of Occupancy. Not to make or permit to be made any addition or alteration to the said building to be erected or building already erected on the land except on the land in accordance with plans and specifications approved by the Chief Architect, Bauchi State Development Board or other Officer so appointed in this behalf.

(iii) Not to alienate the Right of Occupancy "grant/~~grant~~ or any part thereof by sale mortgage, transfer of possession, sub-lease of request or otherwise howsoever without the consent first had and obtained.