IN THE HIGH COURT OF THE FEDERAL CAPITAL TERRITORY

IN THE ABUJA JUDICIAL DIVISION

HOLDEN AT APO

CLERK: CHARITY
COURT NO. 16
CHARGE NO: FCT/HC/CR/501/2019
MOTION NO: M/5520/2020
DATE: 24– 02 – 2020

BETWEEN:

FEDERAL REPUBLIC OF NIGERIA   **COMPLAINT/RESPONDENT**

AND

AUWALU ILA   **DEFENDANT/APPLICANT**

RULING

(DELIVERED BY HON. JUSTICE S. B. BELGORE)

By way of an application vide motion no m/5520/2020 this Applicant prayed this Court to admit him to bail pending the trial. The application has been made pursuant to S36(5) of the 1999 Constitution as amended and S158 and S162 of the ACJA, 2015.

In support of the application is a 5 paragraphs affidavit deposed to by one Aliyu Jubril and a written address.

A short while ago, learned counsel to the Applicant – A.B. Wali Esq. moved the application _brevimanu_. He relied on the averment in the supporting affidavit and adopting the argument in his written address as his full argument.

Learned counsel urged me to grant the application.

In reaction to the Application, learned prosecuting counsel – Farouk Abdullahi did not oppose the application hence he filed no counter affidavit.

I have gone through the content of the uncontroverted affidavit. The applicant before his arraignment has been enjoying administrative bail of the EFCC. It seems to me that he has not breached any of the terms of that administrative bail. Why do I say so? The prosecution who was served as far back as 20 – 2 – 20 did not object to this application.

Furthermore, this applicant is married, in fact, he has 2 wives, children and other dependants. He also has aged parents.

It is for all the above reasons that I find considerable merit in this application and it is hereby granted.

The applicant is hereby admitted to bail in the sum of N5 Million Naira and one surety in the same amount. The surety must be a civil servant not below grade level 5, working and residing within the Federal Capital Territory, Abuja.

…………………
Suleiman Belgore
(Judge) 23-3-2020.