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N24bn Police Pension Fraud: Court Fixes Jan 19, 2020 for Ruling on Admissibility of Evidence



The trial of Atiku Abubakar Kigo for police pension fraud, before Justice Hussien Baba of the FCT High Court, Maitama, Abuja, continued on Wednesday, December 9, 2020 with the testimony of the fourth prosecution witness (PW4), Mustapha Sani Gadanya.

Kigo, a former director in the Police Pension Office, is facing prosecution by the Economic and Financial Crimes Commission, EFCC, alongside five others on amended eight-count charges, bordering on money laundering and criminal breach of trust to the tune of N24 billion.

At today's sitting, Gadanya, who is a staff of Eco Bank in his testimony against the third defendant, Veronica Ulonma Onyegbula, presented bank account opening documents, account statements and Certificate of Identification on the documents from Eco bank,...

...which were tendered in evidence by prosecuting counsel, O. A Atulagbe.

However, counsel to the defendant, Chuma Chukwudi, in his objection to the documents and the testimony, argued that PW4 was not eligible to testify on the matter because the name and signature on the account opening documents he testified on,...

...do not belong to him, and furthermore, that they were computer-generated. He cited Section 83 and 84 of the Evidence Act to buttress his position.

Atulagbe, however, described the argument of the defence counsel as “misconceived.”

And also drawing strength from Section 84 of the Evidence Act, explained that a computer-generated document is admissible in court,...

...provided that the document is accompanied with a written Certificate of Identification by the appropriate authority and can also be presented orally in court, without the physical presence of the person who printed in court.

He cited the case of Brilla Energy vs FRN, 2018; Dickson vs Sylva, 2007, and Textile Applied Products Ltd vs H. Stephens Shipping Ltd, 1989.

Justice Baba adjourned till January 19 and 20, 2020, for ruling on the eligibility of the witness and admissibility of his evidence.