

**IN THE FEDERAL HIGH COURT OF NIGERIA
IN THE ABUJA JUDICIAL DIVISION
HOLDEN AT ABUJA**

SUIT NO: FHC/ABJ/CS/2698/2025

HADIZA USMAN APPLICANT

AND

- 1. ECONOMIC AND FINANCIAL CRIMES COMMISSION
(EFCC)**
- 2. DR HALIMA ALFA..... RESPONDENTS**

MR. OLA OLUKOYEDE..... CONTEMNOR

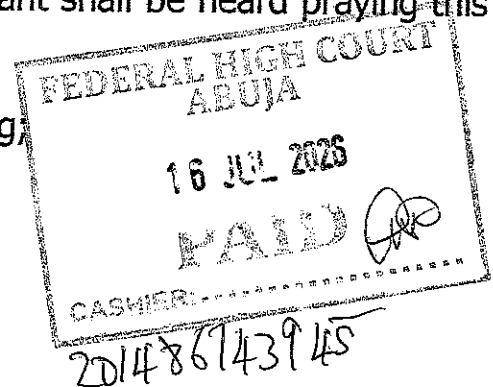
**MOTION ON NOTICE
BROUGHT PURSUANT:**

- 1. ORDER 35 RULE1(2B) AND RULE 2 OF THE FEDERAL HIGH COURT CIVIL PROCEDURE RULES 2019**
- 2. AND UNDER THE INHERENT JURISDICTION OF THIS HONOURABLE COURT AS PRESERVED BY SECTION 6(6A) OF THE 1999 CONSTITUTION OF THE FEDERAL REPUBLIC OF NIGERIA, AS AMENDED**

TAKE NOTICE that this Honourable Court shall be moved on..... the day of, 2026, at the hour of 9 O'clock in the forenoon or so soon thereafter as Counsel on behalf of the Applicant shall be heard praying this Honourable Court for the following Orders:

- 1. AN ORDER** of this Honourable Court, committing,

Mr. Ola Olukoyede
Executive Chairman,
Economic and Financial Crimes Commission,
EFCC Headquarters,
Jabi, Abuja,



to prison, and detained in custody until he obeys the orders of this Honourable Court, made on the **20th day of April, 2026**, wherein this Honourable Court restrained the Respondents, including EFCC, whether by themselves, agents, employees, servants, privies or agents, from interfering with the personal liberty of the Applicant on a civil matter, on the basis of the same facts and

circumstances, of this case; and to tender a public apology to the Applicant as appropriate.

Further, Take Notice that the Grounds of this application are:

1. This Honourable Court, in a judgment order, made on the **20th day of April, 2026**, restrained the Respondents, including EFCC, whether by themselves, agents, employees, servants, privies or agents, from interfering with the personal liberty of the Applicant on a civil matter, on the basis of the same facts and circumstances, of this case.
2. This Honourable Court clearly held, in Page 11 of the said judgment delivered on the 20th day of April, 2026, thus:
"From the totality of evidence in the instant case, this is not the type of case the EFCC should get involved in. The Applicant and the 2nd Respondent both agree that there have been involved in business transactions of buying gold, wrist watches, clothes, and loaning each other monies which did not in my considered view involve any kind of financial crime or fraud or criminality. In the circumstances, there is therefore no basis for the involvement of the 1st Respondent in this matter".
3. This Honourable Court also ordered the 1st Respondent (EFCC), to tender a public apology to the Applicant as appropriate.
4. Despite the subsisting orders of this Honourable Court made on the said 20th day of April, 2026, the EFCC, arrested and detained the Applicant on the 25th day of May, 2026, until about 7pm, on the 26th day of May, 2026, when she was released, after meeting her bail conditions, and having the international passport of the Applicant, seized from her, in flagrant disregard and disobedience to the lawful orders of the Federal High Court, contrary to the provisions of section 287(3) of the 1999 Constitution of the Federal Republic of Nigeria (as amended).
5. Despite the subsisting orders of this Honourable Court made on the said 20th day of April, 2026, the EFCC, on that same day, 20th April, 2026, immediately after the judgment of this Honourable Court, filed a charge against the Applicant herein, in **Charge No: CR/147/2026**, before **Hon. Justice S.U. Bature**, of the High Court of FCT, Maitama, Abuja, on an issue which the Federal High Court, had earlier held the same day, that it is purely civil-related, and does not constitute economic and financial crime, criminality or

fraud, in flagrant disregard and disobedience to the judgment and orders of the Federal High Court, contrary to the provisions of section 287(3) of the 1999 Constitution of the Federal Republic of Nigeria (as amended).

Dated this 15th day of July, 2026.



✓ Sir, **Nkemakolam Okoro S.C., Esq**

C.C Chukwu (Mrs.)

Emmanuel Emerenini, Esq

Enore Omijie, Esq

Counsel to the Applicant

Suite F37 Melita Plaza

Area 11, Garki, Abuja

08033438283, 07013779779

dynamicooptionchambers@gmail.com

nsokoro@nigerianbar.ng

nsokoro@nigerianbar.ng

The 1st Respondent & Contemnor
C/O Counsel
Attah Monday Ocholi Esq
The Economic and Financial Crimes Commission
EFCC Headquarters
Jabi, Abuja,
08036009577
Attah-ocholi@yahoo.com

2nd Respondent
Halima I Alfa
Lebo-Albert Ekito A.
Fatima Oiza Idris
Emmanuel Onah
Nasiru Arikushola
Halima Alfa & Associate
Halima Alfa Chambers
No 16, Ajayi Crowther Street
Asokoro, Abuja
08037515832, ekitola@yahoo.com
Halima.alfa@halimachambers.com

**IN THE FEDERAL HIGH COURT OF NIGERIA
IN THE ABUJA JUDICIAL DIVISION
HOLDEN AT ABUJA**

SUIT NO: FHC/ABJ/CS/2698/2025

HADIZA USMAN APPLICANT

AND

- 1. ECONOMIC AND FINANCIAL CRIMES COMMISSION
(EFCC)**
- 2. DR HALIMA ALFA..... RESPONDENTS**

MR. OLA OLUKOYEDE..... CONTEMNOR

STATEMENT IN SUPPORT

1. Description of the Applicant:

The Applicant is **Hadiza Usman**, a Nigerian, and a fashion designer, a businesswoman, who deals in jewelries, high-quality clothing, and an importer and exporter. Her address is No. 36, Gnassingbe Eyedema Street, Asokoro, Federal Capital Territory, Abuja, who applied for the enforcement of her fundamental rights, over the infringement of her fundamental rights to privacy, personal liberty, and personal dignity, before this Honourable Court.

2. Description and address of the person sought to be committed:

- i. Mr. Ola Olukoyede**
Executive Chairman,
Economic and Financial Crimes Commission,
EFCC Headquarters,
Jabi, Abuja.

Dated this 15th day of July, 2026.


✓ **Sir, Nkemakolam Okoro S.C., Esq**
C.C Chukwu(Mrs)
Emmanuel Emerenini, Esq

Enore Omijie, Esq
Counsel to the Applicant
Suite F37 Melita Plaza
Area 11, Garki, Abuja
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dynamicoptionchambers@gmail.com
nsokoro@nigerianbar.ng
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The 1st Respondent & Contemnor
C/O Counsel
Attah Monday Ocholi Esq
The Economic and Financial Crimes Commission
EFCC Headquarters
Jabi, Abuja,
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2nd Respondent
Halima I Alfa
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**IN THE FEDERAL HIGH COURT OF NIGERIA
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SUIT NO: FHC/ABJ/CS/2698/2025

HADIZA USMAN APPLICANT

AND

**1. ECONOMIC AND FINANCIAL CRIMES COMMISSION
(EFCC)**

2. DR HALIMA ALFA..... RESPONDENTS

MR. OLA OLUKOYEDE..... CONTEMNOR

AFFIDAVIT IN SUPPORT OF MOTION

I, Susan Nnenna Nwaze, adult, female, Christian, a Nigerian citizen, of Dynamic Option Chambers, Suite F37, Melita Plaza, Area 11, Garki, Abuja, do hereby make oath and state as follows:

1. That I am a Litigation Assistant in the law firm handling this matter on behalf of the Applicant, by virtue of which I am conversant with the facts and entire circumstances of this matter.
2. That I depose to this affidavit from facts within my knowledge, except where otherwise expressly stated herein.
3. That I have the consent and authority of the Applicant to depose to this affidavit from facts within my knowledge.
4. That I know as a matter of fact, that the Applicant instituted an action before this Honourable Court, on the 26th day of January, 2026, for the enforcement of her fundamental rights.
5. That on the 20th day of April, 2026, this Honourable Court delivered judgment in favour of the Applicant.
6. That I know as a matter of fact, that this Honourable Court, on the said 20th day of April, 2026, made an order, restraining the Respondents, including the EFCC, whether by themselves, agents, employees, servants, privies or agents, from interfering with the personal liberty of the Applicant on a civil matter, on the basis of the same facts and circumstances, of this case.
7. That I know as a matter of fact, that this Honourable Court, held in Page 11 of the said judgment delivered on the 20th day of April, 2026, that:
"From the totality of evidence in the instant case, this is not the type of case the EFCC should get involved in. The Applicant and the 2nd Respondent both agree that there have been involved

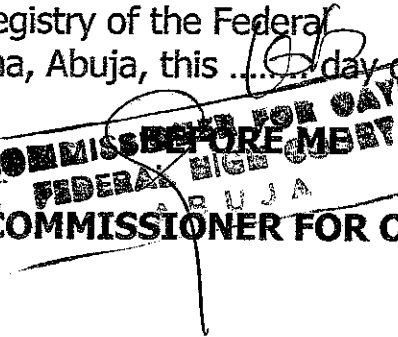
in business transactions of buying gold, wrist watches, clothes, and loaning each other monies which did not in my considered view involve any kind of financial crime or fraud or criminality. In the circumstances, there is therefore no basis for the involvement of the 1st Respondent in this matter.

8. That I know as a matter of fact, that this Honourable Court also ordered the 1st Respondent (EFCC), to tender a public apology to the Applicant as appropriate. Certified true copy of the judgment order of this Honourable Court is attached herewith as **Exhibit 1**.
9. That I know as a matter of fact, that the said judgment and judgment orders were duly served on the 1st Respondent via a letter written to the 1st Respondent by Counsel to the Applicant. An acknowledged copy of the said letter is attached herewith as **Exhibit 2**.
10. That I know as a matter of fact, that despite the subsisting orders of this Honourable Court, made on the said 20th day of April, 2026, the EFCC, on that same day, being 20th day of April, 2026, in flagrant disobedience and disrespect to the judgment and orders of this Honourable Court, filed a charge against the Applicant herein, at the High Court of FCT, Maitama, Abuja, in **Charge No:CR/147/2026**, before Hon Justice S.U Bature, on the same facts and issues which the court held on that same day and date as purely civil-related and not constituting any financial and economic crime, fraud or criminality, in utter disregard and flagrant disobedience to the subsisting judgment and orders of the court. A copy of the said charge is attached herein as **Exhibit 3**.
11. That I know as a matter of fact, that despite the subsisting orders of this Honourable Court made on the said 20th day of April, 2026, the EFCC, arrested and detained the Applicant on the 25th day of May, 2026, until about 7pm, on the 26th day of May, 2026, when she was released, after meeting her bail conditions, and having the international passport of the Applicant, seized from her, in flagrant disregard and disobedience to the lawful orders of this Honourable Court. Copy of bail conditions issued to the Applicant on the 26th day of May, 2026, is attached herein as **Exhibit 4**.
12. That I know as a matter of fact, that despite the subsisting orders of this Honourable Court, made on the said 20th day of April, 2026, the EFCC, arraigned the Applicant herein, on the 2nd day of June, 2026, at the High Court of FCT, before **Hon. Justice S.U. Bature**, on an issue that is purely civil-related, as held by this Honourable Court and utter disregard of the judgment of this Honourable Court.

13. That I know as a matter of fact, that despite the subsisting orders of this Honourable Court, made on the 20th day of April, 2026, the EFCC, on the 2nd day of June, 2026, had the Applicant remanded in prison custody, from 2nd June, 2026, to 10th June, 2026, in flagrant disregard and disobedience to the lawful orders of the Federal High Court, which declared the transaction for which the Applicant was charged to court, as civil, and not constituting any economic or financial crimes.
14. That I know as a matter of fact, that the said criminal trial of the Applicant by the EFCC, is adjourned to the 28th day of September, 2026, for commencement of trial, despite the orders of this Honourable Court declaring the entire transaction as civil and not constituting any economic and financial crime, fraud or criminality.
15. That I know as a matter of fact, that the Economic and Financial Crimes Commission filed a criminal charge against the Applicant, in utter disregard to the judgment of this Honourable Court, notwithstanding that the same EFCC, had a pending appeal against the same judgment of this Honourable Court, and without waiting for the determination of the appeal it filed. A copy of the notice of appeal is attached herewith as **Exhibit 5.**
16. That aside, filing the notice of appeal since the **19th day of May 2026**, the EFCC, has not taken any other or further steps to compile and transmit the record of appeal, but has, rather, in utter disregard of the judgment of this Honourable Court continued to prosecute the Applicant at the High Court of FCT, Maitama, Abuja before **Hon. Justice S.U. Bature.**
17. That I know for a fact that, unless the Executive Chairman of the Economic and Financial Crimes Commission is committed to prison, the 1st Respondent will continue to flagrantly disobey the judgment and orders of this Honourable Court.
18. That I know as a matter of fact, that it shall be in the best interest of justice if this application is granted as prayed.
19. I make this declaration conscientiously, believing it to be true and in accordance with the Oaths Act, LFN, 2004.

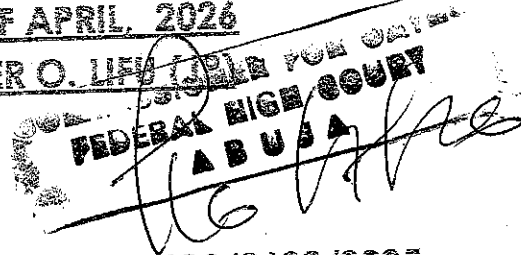

Deponent

Sworn to, at the Registry of the Federal
High Court, Maitama, Abuja, this ... day of July, 2026.


COMMISSIONER FOR OATHS
FEDERAL HIGH COURT
ABUJA

EX4 EX41

IN THE FEDERAL HIGH COURT OF NIGERIA
IN THE ABUJA JUDICIAL DIVISION
HOLDEN AT ABUJA
ON MONDAY, THE 20TH DAY OF APRIL, 2026
BEFORE THE HON. JUSTICE PETER O. LIHI
(JUDGE)



SUIT NO: FHC/ABJ/CS/2698/2025

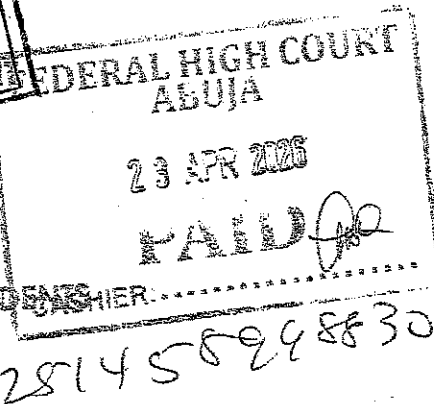
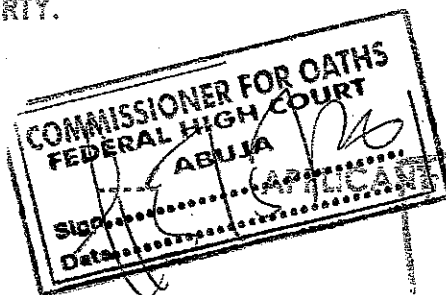
IN THE MATTER OF AN APPLICATION BY HADIZA USMAN, FOR AN ORDER FOR THE ENFORCEMENT OF HER FUNDAMENTAL RIGHTS TO LIFE, DIGNITY OF PERSON, LIBERTY OF HUMAN PERSON AND RIGHT TO FREEDOM OF MOVEMENT AND RIGHT TO OWNERSHIP OF PROPERTY.

BETWEEN:-

HADIZA USMAN

AND

- 1. ECONOMIC AND FINANCIAL CRIMES COMMISSION (EFCC)**
- 2. DR HALIMA ALFA**



RESPONDENTS

JUDGMENT

By an Originating Motion on Notice dated the 26th of January, 2026 and filed on the 26th day of January, 2026, the Applicant sought for the following reliefs towards the enforcement of her fundamental right:-

- 1. A DECLARATION** that the persistent threats to the life of the Applicant by the 2nd Respondent, is illegal, wrongful, unlawful and constitute a blatant threats to the violation of

her fundamental rights as enshrined in Sections 33 (1), and 46(1) of the 1999 Constitution of the Federal Republic of Nigeria, as altered, and Articles 6 and 12 of the African Charter on Human and Peoples' Rights Ratification and Enforcement) Act Cap A9 Laws of the Federation of Nigeria, 2004.

2. **A DECLARATION** that the arrest and detention of the Applicant, at the EFCC Headquarters, at Jabi, Abuja, by the 1st Respondent, acting through its officers, at the behest and instigation of the 2nd Respondent, from 9 am on Thursday the 6th day of November 2025, till 11:30 pm on Friday the 7th day of November, while investigating her, without charging her to a court of competent jurisdiction, within 24 hours of her arrest in accordance with the provisions of section 35 of the Constitution of the Federal Republic of Nigeria 1999 as amended, is illegal, wrongful, unlawful and constitute a blatant violation of her fundamental rights as enshrined in Sections 35 (1), (3), (4), 37 and 41 (1) of the 1999 Constitution of the Federal Republic of Nigeria, as altered, and Articles 6 and 12 of the African Charter on Human and Peoples' Rights Ratification and Enforcement) Act Cap A9 Laws of the Federation of Nigeria, 2004.
3. **A DECLARATION**, that the invasion of the private home of the Applicant, and the looting of her Jewelleries and personal effects, by the officers of the 1st Respondent, at the behest

and instigation of the 2nd Respondent, over alleged indebtedness, is unconstitutional, illegal, unlawful, and constitute a flagrant and unmitigated breach of her fundamental rights as provided for in sections 34, 37 and 44(1) of the Constitution of the Federal Republic of Nigeria 1999 as amended.

4. **A DECLARATION** that inhuman and degrading treatments meted out on the Applicant by the 1st Respondent, acting through its officers, between the 6th and 7th of November 2025, at the instigation of the 1st Respondent, by arresting and detaining the Applicant for over 24 hours and looting at gun point, her personal precious jewelleries, including designer watches and gold worth over ₦800,000,000.00 Naira, without an order of a court of competent jurisdiction, is unconstitutional, illegal, unlawful, and constitute a flagrant and unmitigated breach of her fundamental rights as provided for in sections 34, 37 and 44(1&2) of the Constitution of the Federal Republic of Nigeria 1999 as amended.
5. **A DECLARATION** that the physical, emotional and psychological torture, meted out on the Applicant, by the invasion, of her private home, looting of her personal belonging, and the consequential arrest and detention of the Applicant by the 1st Respondent at the behest of the 2nd Respondent, is unconstitutional, illegal, unlawful, and

constitute a flagrant and unmitigated breach of her fundamental rights as provided for in sections 34 and 37 and of the Constitution of the Federal Republic of Nigeria 1999 as amended.

6. **A DECLARATION** that the Applicant is entitled to public apology and adequate compensation from the Respondents as provided for in Sections 35 (6) and 46 (2) of the 1999 Constitution of the Federal Republic of Nigeria, as altered, for the blatant violation of the Applicant's rights without following the due process of law.
7. **AN ORDER** of this Honourable Court directing the Respondents to release and return to the Applicant forthwith, her jewelleries, including property documents, purchase receipts, and private safe, gold, designer wrist watches and all personal belongings all carted away at gunpoint, by the officers of the 1st Respondent, without an order of a court of competent jurisdiction, at the behest of the 2nd Respondent herein on the 6th day of November 2025, or in the alternative, an order of this Honourable Court directing each of the 1st and 2nd Respondents, to pay the sum of ₦500,000,000 each, representing the value of the Applicant's jewelleries looted by the officers of the 1st Respondent at the behest of the 2nd Respondent.

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FEDERAL HIGH COURT

ABUJA

23/4/26

8. **AN ORDER** of this Honourable Court directing the Respondents to tender a public apology in at least two National Dailies to the Applicant for the blatant violation of her fundamental rights without following the due process of law.
9. **AN ORDER** of this Honourable Court directing each of the Respondents, individually, to pay to the Applicant the sum of **₦500,000,000.00 (Five Hundred Million Naira)** only, as general and exemplary damages for the wanton and grave violation of the Applicant's rights, without following the due process of the law.
10. **AN ORDER** directing each of the 1st and 2nd Respondents to the Applicant the sum of **₦50,000,000.00**, represent the cost of this action.
11. **AN ORDER** of this Honourable Court directing the 2nd Respondent to pay the total sum of **45,800 USD**, in respect of jewelleries and designer handbags and the sum of **₦450,000** in respect of wrappers which she bought from the Applicant and had refused to pay since 2020.
12. **AN ORDER** of this Honourable Court restraining the Respondents whether by themselves, agents, employees, operatives, detectives, servants, privies and investigating officer(s), or howsoever and by whatever name called, from

further arresting and or detaining the Applicant without charging her to court in line with the provisions of section 35 of Constitution, on the basis of the facts and circumstances of this matter.

13. **AND FOR SUCH FURTHER OR OTHER ORDERS** as the Honourable Court may deem fit to make in the circumstances.

The originating process also has the names and description of the Applicant, the reliefs sought, the grounds, 29 paragraphs supporting affidavit along with Exhibits H1 and H2. There is a written address which was adopted by the learned Applicant's counsel, Sir, N.S.C. Okoro Esq.

At the preliminary stage, learned defence counsel urged the Court to dismiss the entire suit as the Applicant did not file any motion for leave to amend the originating motion before filing the new one dated and filed on 26th January, 2026 as the one earlier filed on 16/12/25 but dated 15/12/25 has been withdrawn. Learned 1st Defendant counsel urged the Court to dismiss the entire suit for incompetence. This position was supported by learned 2nd Defendant's counsel.

In his response, learned Applicant's counsel referred the Court to Order 9(1) of the Fundamental Right Enforcement Procedure Rules, 2009 as he only substituted and did not amend any process

and as such there is no prejudice or adverse effect on the Respondents. He emphasised and urged the Court to accommodate his position in the interest of justice.

On the issue of further counter affidavit filed by the learned counsel to the 1st Respondent, Mr. Ocholi, Counsel to the Applicant opposed the process arguing that the Fundamental Right Rules has no provision for it as the Respondent only has right to file counter affidavit. The 2nd Defendant's counsel urged the Court to align with the position of 1st Defendant's counsel in the interest of justice.

The Applicant's counsel filed a further affidavit of 58 paragraphs on the 27th of February, 2026 and a reply on point of law in response to the 1st Respondent's processes.

Learned Applicant's counsel, in addition contended that Sections 143 and 146 of the Administration of Criminal Justice Act, 2015 was violated against the Applicant by the Respondents as there was no search warrant duly issued before the invasion of the Respondents on the Applicant's premises.

In response, the 1st Defendant through his counsel Attah Ocholi Esq. filed a counter affidavit on 10th of February, 2026 containing 39 paragraphs, six exhibits – EFCC 1 to EFCC 6.

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There is a written address which was adopted by counsel. Learned counsel also filed a further counter affidavit on the 5th of March, 2026 containing seven paragraphs including an additional authorities. Learned 1st Defendant's counsel also contended that the fresh issues raised by the Applicant in paragraphs 4.1 of his written address should be discountenanced. Learned counsel finally urged the Court to dismiss the entire case of the Applicant.

Mr. Lebo-Albert Ekito, learned 2nd Defendant's counsel, adopted the two respective counter affidavits filed on the 29/1/26 and 3/3/26 containing 8 paragraphs and 18 paragraphs respectively on behalf of the 2nd Respondent. The first counter affidavit has five attached exhibits while the second affidavit has four attached Exhibits. Counsel adopted his written submission and urged the Court to dismiss the Applicant's prayers in its entirety. Counsel submitted that Order 27 (3) of the Fundamental Right Enforcement Procedure Rules of 2009 which governs this proceedings makes provisions for the second counter affidavit.

Learned Applicant's counsel Sir, Okoro opposed the filing of the 2nd counter affidavit and urged the Court to regard it as an abuse of Court process by virtue of Order 2 (6) (7) of the Fundamental Right Enforcement Procedure Rules, 2009.

The Applicant's counsel also filed an affidavit of non-multiplicity of Suit on the 26th of January, 2026.

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ABUJA
23/4/26

This Court has carefully perused and considered painstakingly the facts and circumstances surrounding this case.

The Applicant and the 2nd Defendant or Respondent who are females have been relating as business women, customers and friends before the involvement of the Police and the 1st Defendant, the Economic and financial Crime Commission. From the totality of the facts before the Court, no formal invitation was extended to the Applicant by the 1st Respondent before her arrest, detention, search of her residence and confiscation of her belongings including land documents which are not subject of an allegation or dispute. The Applicant's phones were equally confiscated and later released to her suffice it to say that these phones are private personal property which cannot be invaded without due process of law. This is a clear case of violation of citizen's privacy and I so hold.

The exhibits attached to the affidavits of the parties shows a private dispute relating to debts and recovery of business sums of money, goods had and received in the normal course of business relationship. It has no element of criminality at all. It is not in every debt dispute that the 1st Defendant is supposed to dabble into. The EFCC has so many issues bordering on crime and financial criminality to occupy itself with. To therefore invade a citizen residence in Asokoro to arrest her over such minor female business squabbles, criminalise same in a public glare in Asokoro, search the premises without any evidence of search warrant is absurd.

unlawful and unconstitutional. This is more worrisome against the background of the fact that the 2nd Respondent who set the law in motion against the Applicant is a counsel called to the Nigerian bar.

The 1st Respondent has admitted arresting, detaining and searching the premises of the Applicant. The 2nd Respondent has also admitted having business dealings with the Applicant over some times. She has also admitted and from her evidence that she set the law in motion against the Applicant leading to her arrest, detention and search of her residence without search warrant.

The 2nd Respondent obviously has acted in violation of the fundamental right of the Applicant going by her own admission. In this circumstance, I rely on the case of DURMAKU VS. NWOKE (2015) 15 NWLR (PT. 1483) 417 CA.

In arriving at this conclusion, this Court has observed that there appear to be a Magistrate Court process at Karu, exhibited by the 2nd Respondent which this Court cannot validate or rely upon being not a certify true copy of a public document and not dated. There are also a petition and petition receipt from the 1st Defendant attached as exhibits to the processes of the 2nd Respondent of which the Court cannot rely on, being not certified.

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FEDERAL HIGH COURT
ABUJA
22/4/26

This Court in evaluating the evidence of the parties in the instant case has admitted the further counter affidavit of the Respondent and has also countenance the originating motion of the Applicant being a fresh process after withdrawal of the earlier process. The two affidavits filed by the 2nd Respondent are also countenance in the interest of justice.

The 2nd Respondent in this suit admitted moving from police stations to Magistrate Court and now to the EFCC, 1st Respondent in a bid to recover her money in a civil relationship that has been criminalised. The Nigeria Police Force and security agencies have no right whatsoever both from the Constitution, the Police Act, and the laws setting them up to recover debts, loans, and goods or land documents as done in this case, on purely civil transactions. See the case of EFCC VS. DIAMOND BANK (2018) 8 NWLR (PT. 1620) 61 SC.

The Economic and Financial Crimes Commission EFCC, the 1st Respondent in this case has the onerous and inherent duty to scrutinise all complaints that it receives carefully, no matter how carefully crafted by the complaint or complaining party and to refer such complaint as civil where it is so discovered.

From the totality of evidence in the instant case, this is not the type of case the EFCC should get involved in. The Applicant and the 2nd Respondent both agree that there have been involved in business transactions of buying gold, wrist watches, clothes, and

loaning each other monies which did not in my considered view involve any kind of financial crime or fraud or criminality. In the circumstances, there is therefore no basis for the involvement of the 1st Respondent in this matter. I so hold. See the cases of:-

1. AG. PLATEAU VS. AG NASARAWA (2005) 9 NWLR Pt. 930. 421.
2. UNIVERSITY OF ILORIN VS. OYELANA (2001) 15 NWLR (PT. 737) 684, 79 para. G.

The 1st Respondent ought not to get involved in the first instance in this case. Personal liberty of the Applicant has been interfered with unjustly. Personal liberty connotes a right not to be subject to arrest, imprisonment and any other physical coercion in any manner that does not admit of legal justification. See the cases of:-

1. OBA GABRIEL OROJIE VS. AG. ONDO (1993) NWLR PT. 297 at 122.
2. ODO VS. COP (2004) 27 WRN 133.
3. ADEWOLE VS. JAKANDE (1981) 1 NCLR 262 HC. Lagos.

The 1st Respondent admitted arresting and detaining the Applicant from 9am of 6th November, 2025 to 11:30pm of November 7th, 2025. To this, it is liable.

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ABUJA
23/11/26

Based on my reasoning and conclusion above stated, the case of the Applicant has merit and judgment is herein entered in her favour as follows:-

1. The invasion of the private home of the Applicant and carting away her jewelleries, personal effects, landed properties' documents among other items listed as **Exhibit EFCC 3** attached to the 1st Respondent's counter affidavit as Exhibit, over alleged indebtedness is illegal, unlawful, unconstitutional being a gross violation of the right to privacy, personal liberty, personal dignity of the Applicant.
2. The arrest, detention of the Applicant by the 1st Respondent on the instigation of the 2nd Respondent on the 6th and 7th of November, 2025, and subjecting her to bail at the 1st Respondent's headquarters at Jabi, Abuja is a breach of the fundamental right of the Applicant as guaranteed by the Constitution of the Federal Republic of Nigeria, 1999 (as amended) and Articles 7 and 12 of the African Charter on Human and Peoples Right otherwise known as the **Banjul Charter, 1981**.
3. The 1st Respondent is hereby ordered to release forthwith to the Applicant all the items, personal effects removed, carried away or confiscated from the Applicant's house as inventory reflected in the search note as Exhibits on the 6th

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day of November, 2025 attached to the 1st Respondent's counter affidavit as **Exhibit EFCC 3**.

4. The Respondents are hereby restrained whether by themselves, agents, employees, servants, privies or agents from interfering with the personal liberty of the Applicant on this civil matter on the basis of the same facts and circumstances.
5. All other reliefs of the Applicant on the cost of goods sold to the 2nd Respondent and the cost of litigation fails.
6. On the basis of Section 35(6) of the Constitution of the Federal Republic of Nigeria, 1999 (as amended), the 1st Respondent is to tender a public apology to the Applicant as appropriate while the 2nd Respondent is to pay a sum, of **₦50,000,000.00 (Fifty Million Naira)** only as compensation and damages to the Applicant for wrongly setting the law in motion leading to the wanton, grave and serial violation of her fundamental right.

Judgment is so entered.



Hon. Justice Peter O. Lifu (JP)

Judge

20/04/2026.

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FEDERAL HIGH COURT
ABUJA

23/4/26

APPEARANCES:-

Sir, N. S. C. Okoro Esq. with B. C. Nweke Esq. for the Applicant.

Attah M. Ocholi Esq. for the 1st Respondent.

Lebo-Albert Ekito Esq. for the 2nd Respondent.

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FEDERAL HIGH COURT
ABUJA

28/4/16

IN THE FEDERAL HIGH COURT OF NIGERIA
IN THE ABUJA JUDICIAL DIVISION
HOLDEN AT ABUJA

SUIT NO: FHC/ABJ/CS/2698/2025

IN THE MATTER OF AN APPLICATION BY HADIZA USMAN, FOR AN ORDER FOR THE ENFORCEMENT OF HER FUNDAMENTAL RIGHTS TO LIFE, DIGNITY OF PERSON, LIBERTY OF HUMAN PERSON AND RIGHT TO FREEDOM OF MOVEMENT AND RIGHT TO OWNERSHIP OF PROPERTY.

BETWEEN:-

HADIZA USMAN

APPLICANT

AND

- | | | |
|---|---------|-------------|
| 1. ECONOMIC AND FINANCIAL
CRIMES COMMISSION (EFCC) | } ----- | RESPONDENTS |
| 2. DR HALIMA ALFA | | |

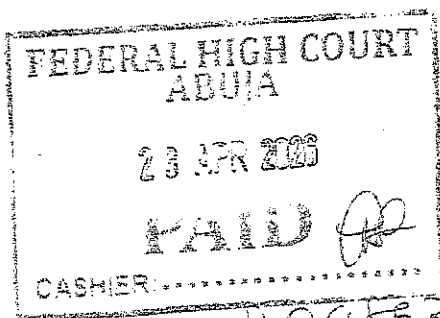
JUDGMENT ORDER.

UPON THE ORIGINATING MOTION ON NOTICE dated and filed on the 26th day of January, 2026 coming up for Judgment this 20th day of April, 2026;

Sir, N. S. C. Okoro Esq. with B. C. Nweke Esq. of counsel for the Applicant;

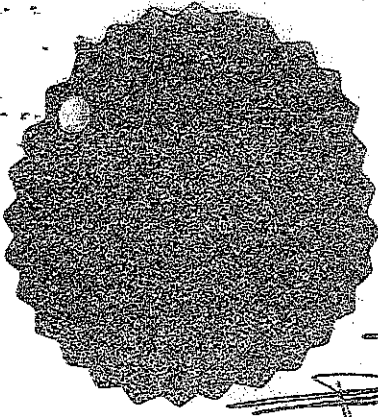
Attah M. Ocholi Esq. of counsel for the 1st Respondent;

Lebo-Albert Ekito Esq. of counsel for the 2nd Respondent;



281458998830

CERTIFIED TRUE COPY
FEDERAL HIGH COURT
ABUJA
23/4/26
Ugo Otani
Egbinke
my



And the Court having delivered its Judgment
this 20th day of April, 2026;


HON. JUSTICE PETER O. LIFU (JP) IT IS HEREBY ORDERED AS FOLLOWS:
PRESIDING JUDGE

1. The invasion of the private home of the Applicant and carting away her jewellerys, personal effects, landed properties' documents among other items listed as **Exhibit EFCC 3** attached to the 1st Respondent's counter affidavit as Exhibit, over alleged indebtedness is illegal, unlawful, unconstitutional being a gross violation of the right to privacy, personal liberty, personal dignity of the Applicant.
2. The arrest, detention of the Applicant by the 1st Respondent on the instigation of the 2nd Respondent on the 6th and 7th of November, 2025, and subjecting her to bail at the 1st Respondent's headquarters at Jabi, Abuja is a breach of the fundamental right of the Applicant as guaranteed by the Constitution of the Federal Republic of Nigeria, 1999 (as amended) and Articles 7 and 12 of the African Charter on Human and Peoples Right otherwise known as the **Banjul Charter, 1981**.
3. The 1st Respondent is hereby ordered to release forthwith to the Applicant all

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FEDERAL HIGH COURT
ABUJA

284/26

the items, personal effects removed, carried away or confiscated from the Applicant's house as inventory reflected in the search note as Exhibits on the 6th day of November, 2025 attached to the 1st Respondent's counter affidavit as **Exhibit EFCC 3**.

4. The Respondents are hereby restrained whether by themselves, agents, employees, servants, privies or agents from interfering with the personal liberty of the Applicant on this civil matter on the basis of the same facts and circumstances.
5. All other reliefs of the Applicant on the cost of goods sold to the 2nd Respondent and the cost of litigation fails.
6. On the basis of Section 35(6) of the Constitution of the Federal Republic of Nigeria, 1999 (as amended), the 1st Respondent is to tender a public apology to the Applicant as appropriate while the 2nd Respondent is to pay a sum, of **N50,000,000.00 (Fifty Million Naira)** only as compensation and damages to the Applicant for wrongly setting the law in motion leading to the wanton, grave and serial violation of her fundamental right.

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FEDERAL HIGH COURT
ABUJA

28/4/20

ISSUED AT ABUJA under the Seal of the Court
and the Hand of the Presiding Judge this 20th
day of April, 2026.


AWASE IGBA (MRS)
(REGISTRAR)

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FEDERAL HIGH COURT
ABUJA 28/4/26

Exh 3

IN THE HIGH COURT OF THE FEDERAL CAPITAL TERRITORY

IN THE ABUJA JUDICIAL DIVISION

HOLDEN AT ABUJA

COMMISSIONER FOR CHARGE NO:
FEDERAL HIGH COURT
ABUJA
BETWEEN:

FEDERAL REPUBLIC OF NIGERIA.....COMPLAINANT

AND

HADIZA HASSAN USMAN.....DEFENDANT

That you, Hadiza Hassan Usman sometime between 2023 and 2024 within the jurisdiction of this Honourable Court, while being entrusted with dominion and control over four pieces of Gold and Diamond jewelleryes worth \$240,000.00 (Two Hundred and Forty Thousand United States Dollars) belonging to one Dr. Halima Kuji Alfa for sale, did dishonestly converted jewelleryes valued at about \$40,000 to your personal use, and you thereby committed an offence contrary to Section 311 of the Penal code and punishable under Section 312 of the same code

COUNT 2

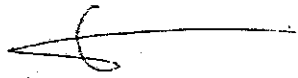
That you, Hadiza Hassan Usman on or about 29th August, 2024 in Abuja within the jurisdiction of this Honourable Court while being entrusted with dominion over four pieces of Gold and Diamond jewelleryes belonging to one Dr. Halima Kuji Alfa for sale, you sold one set of the gold jewellery to one Faisal Alkasim at the cost of N16,912, 000 (Sixteen Million, Nine Hundred and Twelve Thousand Naira) which was transferred to your account number 1017763935 domiciled in United Bank for Africa, did dishonestly converted the said sum to your personal use, and you thereby

Official

9/11/26

committed an offence contrary to Section 311 of the Penal code
and punishable under Section 312 of the same code

DATED THE15..... DAY OFApril..... 2026


F.O. Dibang (Esq)

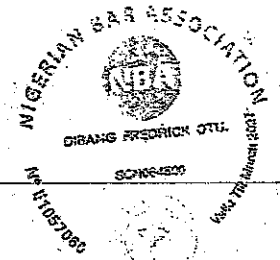
A S Tomwell (Esq)

Legal and Prosecution Dept

Economic and Financial Crimes Commission

PLOT 301/302, Institution and Research

Cadastral District, Jebi, Abuja



SERVICE ON:

The Defendant



Fx44

ECONOMIC AND FINANCIAL CRIMES COMMISSION

P.O. Box 3017502, Institutions and Research Cadastral District, Abuja, Nigeria

Hotline: 23490044752-23490044753

Email: headquarters@efcc.gov.ng Website: www.efcc.gov.ng or www.efccnigeria.org

To: Mrs. Hadiza Usman
From: Head Bank Fraud Section
Date: 26th May, 2026
CONDITION FOR BAIL

I have been duly served by and informed by the Commission, which is investigating a criminal case **CRT/FC/1** against me that I have been granted bail based on under listed conditions:

1. Provide two(2) serving Directors from the Federal Civil service;
2. Two(2) passport photographs;
3. Letter of first employment;
4. Letter of last promotion;
5. Last pay slip;
6. Letter of introduction from the employer of the surety;
7. Surety must be resident in Abuja;
8. Application for Bail;
9. C of O (original copy) of landed property in Abuja;

Sign of Authorizing Officer

Date

26/5/2026

EFCC

COMMISSIONER FOR OATHS
FEDERAL HIGH COURT
ABUJA
[Signature]

EXHIBIT 4
EX 45

EFRC

IN THE COURT OF APPEAL
IN THE ABUJA JUDICIAL DIVISION
HOLDEN AT ABUJA

APPEAL NO.....

SUIT NO: FHC/ABJ/CS/2698/2025

BETWEEN

ECONOMIC AND FINANCIAL CRIMES
COMMISSION (EFCC)

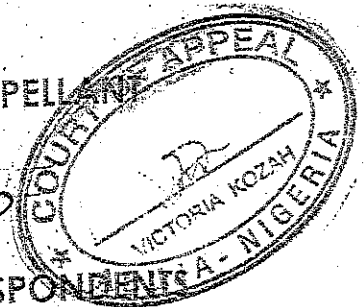
AND

1. HADIZA USMAN
2. DR. HALIMA ALFA

COMMISSIONER FOR JUSTICE
FEDERAL HIGH COURT
ABUJA

APPELLANT

RESPONDENT



NOTICE OF APPEAL PURSUANT TO ORDER 7 OF THE COURT OF APPEAL
RULES

TAKE NOTICE that the Appellant being dissatisfied with the decision of the Federal High Court, Abuja Judicial Division in Suit No: FHC/ABJ/CS/2698/2025, between Hadiza Usman Vs Economic and Financial Crimes Commission & 1 Other, delivered by Honourable Justice Peter O. Lifu delivered on the 20th April, 2026 more particularly set out in paragraph 2, do hereby appeal to the Court of Appeal, Abuja Judicial Division upon the grounds set out in paragraph 3 and will at the hearing of the appeal seek the reliefs set out in paragraph 4.

FEDERAL HIGH COURT OF NIGERIA ABUJA	
OFFICIAL	
SIGN:.....	DATE: 19/5/26

And the Appellant further states that the names and addresses of the person(s) directly affected by the appeal are those set out in paragraph 5.

2. PART OF THE DECISION OF THE LOWER COURT COMPLAINED OF:

The whole decision.

3. GROUNDS OF APPEAL:

GROUND 1

The trial Court erred in law and occasioned a miscarriage of justice when it held at page 15 of the judgment that:

"The arrest, detention of the Applicant by the 1st Respondent on the instigation of the 2nd Respondent on the 6th and 7th of November, 2025 and subjecting her to bail at the 1st Respondent's headquarters at Jabi, Abuja is a breach of the fundamental right of the Applicant as guaranteed by the Constitution of the Federal Republic of Nigeria, 1999 (as amended) and Article 7 and 12 of the African Charter on Human and Peoples Right otherwise known as the Banjul Charter, 1981."

PARTICULARS OF ERROR

- a. The court of Appeal held in LIMAN v. STATE (2016) LPELR-40260(CA) that once a criminal allegation has been made against a citizen, it is a constitutional and statutory duty of the Police to investigate.

- b. The 1st Respondent does not enjoy immunity from criminal investigation and prosecution.
- c. Section 35(1)(c) of the 1999 Constitution of the Federal Republic of Nigeria (as amended) provides for the derogation from a person's Fundamental Rights for the purpose of bringing him before a court of law in execution of the order of court or upon reasonable suspicion of having committed a criminal offence.
- d. The 1st Respondent was arrested on reasonable suspicion of committing a criminal offence and thus does not render the Appellant liable for the breach of Fundamental Rights.
- e. The trial court tacitly tried to strike down a constitutional provision by holding that the 1st Respondent cannot be investigated and prosecuted upon reasonable suspicion of commission of a crime because of the explanation of the 1st Respondent that the matter is civil in nature.
- f. The 1st Respondent was granted bail on 6th November, 2025, the same day she was arrested.
- g. The lower Court failed to appreciate the position of the Court of Appeal in **MBAEYI v. EFCC & ORS (2022) LPELR-575(CA)** where the Court held that:

"Once a prosecutorial agency realizes that an arraignment before a court of law must be effected within twenty four hours of detention, and once they also realize that the fact that an investigation ought to be completed before an arraignment in court, they ought to release him on

administrative bail pending the completion of their investigation"

GROUND 2

The trial court erred in law and occasioned a miscarriage of justice when it failed to determine and make a finding on the issue submitted by the Appellant that paragraphs 6(a) to 6(f) of the 1st Respondent's Affidavit before the trial Court are incompetent that the lower ought not to ascribe any probative value to the said paragraphs.

PARTICULARS OF ERROR

- a. That the 1st Respondent's Affidavit in support of the Originating Motion on Notice before the trial Court was deposed to by one Sussan Nnena Nwaze a litigation Assistant.
- b. That paragraph 6 of the Affidavit referenced in (a) above reads:
"That I was informed by the Applicant, herein at our office at Suite F37, Melita Plaza, Area 11, Garki, Abuja while reviewing the facts and circumstances of this case, and I verily believe all that she told me to be true as follows
- c. That the Deponent failed to show how she arrived at the facts deposed to in the Affidavit.
- d. That the Affidavit in support of the Originating Motion on Notice Offends the provision of Section 115 of the Evidence Act, 2011
- e. That the lower Court failed to abide by the decision in **DEUTCHESS HAUS (NIG.) LTD v. UNION HOMES S. & I. PLC (2021) 2 NWLR (PART 1759)148** where the Court of Appeal held that:

"An affidavit must contain only those facts of which the maker or deponent has personal knowledge of or which are based on information which he believes to be true. In the latter case he must state the grounds of his belief and state the name and full particulars of his informant. In this case, the deponent to the affidavit in support of the notice of intention to defend is the Accountant of the 1st Appellant and deposed to the said affidavit based on information given to him by his employers. But he did not state the grounds of his belief or the full particulars of his information particularly the time, place and circumstances of the information which contravene the provisions of Section 115(3) and (4) of the Evidence Act, 2011. In the circumstance, the averments in the said affidavit are therefore liable to be struck out...(P. 169, paras. D-G)"

- f. The lower court failed to arrive at a finding on issue raised by the Appellant on the competence of paragraphs 6(a) to 6(f) of the 1st Respondent's Affidavit

GROUND 3

The trial Court erred in law and occasioned a miscarriage of justice when it made an order restraining the Appellant from investigating the 1st Respondent on the basis of the same facts and circumstances on the ground that the matter is civil in nature and ordered the Appellant to make public apology.

PARTICULARS OF ERROR

- a. The restraining order made by the trial court against the Appellant impedes the Appellant from performing its statutory functions.
- b. The court of Appeal held in LIMAN v. STATE (2016) LPELR-40260(CA) that once a criminal allegation has been made against a citizen, it is a constitutional and statutory duty of the Police to investigate.
- c. The Law is settled that a Court cannot make orders to restrain the performance of the statutory duty of investigation and prosecution of persons suspected to have committed a crime. Any such Court order has been held to be incompetent, null and void ab initio and of no effect whatsoever. See EWULO v. EFCC & ORS. (2015) LPELR-40912(CA)
- d. That the Appellant is statutorily empowered by law to investigate the 1st Respondents upon a reasonable suspicion of committing offences prohibited by its Establishment Act, 2004. See KALU V. FRN (2016) LPELR-40108 (SC)
- e. A civil transaction can degenerate into a crime in the process of execution as long as the elements of an offence are present. See KEHINDE v. FRN (2020) LPELR-50291(CA)
- f. The Court of Appeal in FRN v. LALWANI (2013) LPELR-20376(CA) held that there is no statutory provision or principle of law that forbids a trial court from hearing a criminal charge brought against an accused person on the ground of there being a

pending civil litigation against the accused person for the same transaction.

- g. The lower Court failed to appreciate the position of the Court of Appeal in **NNAMDI AZIKIWE UNIVERSITY V. NWAFOR (1999) 1 NWLR (Pt.585) 116 at 136. Salami, J.C.A.** where the Court held that:

"The proper test for determining whether an allegation is of a criminal nature is to look at the charge or the allegation itself and not the explanation offered in response thereto. In the instant case, the allegation levelled against the respondent as shown in Exhibit D1 attached to the affidavit of the 4th Appellant was that he was caught copying and exchanging answer scripts with another student during an examination. It is from this allegation that the court will determine the criminality or otherwise of the charge against the respondent and not his explanation thereto which the appellants termed insubordination". (pp136-137 para H-A).

"All that is being canvassed on behalf of the Appellants is the explanation proffered by the Respondent to the accusation leveled against them. This is not sufficient reason to say that the matter is not criminal in nature..." (pp136-137 para E-D)

GROUND 4

The trial Court erred in law and occasioned a miscarriage of justice when it held that the invasion of the private home of the Applicant and carting away her jewelries, personal effect, landed properties' documents among other items over alleged indebtedness is illegal, unlawful, unconstitutional being a gross violation of the right to

privacy, personal liberty, personal dignity of the Applicant and ordered the release of all the items forthwith

PARTICULARS OF ERROR

- a. Section 12(1) of the Administration of Criminal Justice Act(2015) empowers the Appellant to access and search a premises upon reasonable suspicion that a suspect has entered into the premises
- b. Section 10(2) of the Administration of Criminal Justice Act (2015) empowers the Appellant to take inventory of property recovered from the suspect.
- c. The 1st Respondent was arrested by the Appellant upon a reasonable suspicion of committing a financial crime.
- d. The properties recovered from the 1st Respondent are reasonably suspected to be proceed of crime.
- e. The Appellant is empowered to trace and attach properties of a person arrested upon reasonable suspicion of committing an economic or financial crime

GROUND 5

That the judgement is against the weight of evidence.

AND TAKE FURTHER NOTICE that additional grounds of Appeal will be added upon receipt of the Records of Proceedings.

4. RELIEFS SOUGHT FROM THE COURT OF APPEAL

- a. AN ORDER of this Honourable Court allowing the Appeal.
- b. AN ORDER of this Honorable Court setting aside the judgment of the Federal High Court, Abuja delivered on the 20th April, 2026.
- c. AN ORDER of this Honourable Court setting aside the Order of the lower Court directing the Appellant to release forthwith all the items recovered from the premises of the 1st Respondent in the course of arrest and executing a search which items are suspected to be proceed of crime.
- d. AN ORDER of this Honourable Court setting aside the order of lower court restraining the Appellant from investigating the 1st Respondent on the basis of the same facts and circumstances having arrived at a finding that the matter is civil in nature.
- e. AND any other order or order(s) your Lordships may deem fit to make in the circumstances.

5. PERSONS DIRECTLY AFFECTED BY THE APPEAL:

1. The Appellant

**Economic and Financial Crimes Commission,
Plot 301/302, Institutions & Research District,
Jabi, Abuja**

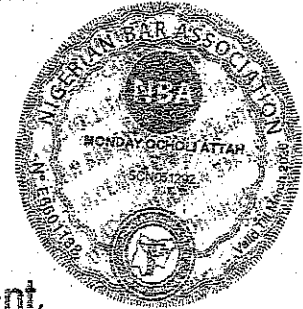
2. The 1st Respondents
C/O COUNSEL
Sir, Nkemakolam Okoro SC, Esq.
I.O Ikwuka Esq.
Suite F37, Melita Plaza,
Area 11, Garki
Abuja
08033438283, 07013779779

3. 2nd Respondent
C/O Counsel
Lebo-Albert Ekito A.
Halima Alfa & Associates
No. 16, Ajayi Crowther Street,
Asokoro, Abuja
08037515832

Dated this 18th day of May 2026

Attah

Attah Monday Ocholi, Esq.
G.I Ndeh Esq.
Legal and Prosecution Department,
Economic and Financial Crimes Commission,
Plot 301/302, Institutions & Research District,
Jabi, Abuja
attah_ocholi@yahoo.com
attahocholi@nigerianbar.ng
08036005977



FOR SERVICE ON

The 1st Respondents
C/O COUNSEL
Sir, Nkemakolam Okoro SC, Esq.
I.O Ikwuka Esq.

Suite F37, Melita Plaza,
Area 11, Garki
Abuja
08033438283, 07013779779

2nd Respondent

C/O Counsel
Lebo-Albert Ekito A.
Halima Alfa & Associates
No. 16, Ajayi Crowther Street,
Asokoro, Abuja
08037515832

**IN THE FEDERAL HIGH COURT OF NIGERIA
IN THE ABUJA JUDICIAL DIVISION
HOLDEN AT ABUJA**

SUIT NO: FHC/ABJ/CS/2698/2025

HADIZA USMAN APPLICANT

AND

- 1. ECONOMIC AND FINANCIAL CRIMES COMMISSION
(EFCC)**
- 2. DR HALIMA ALFA..... RESPONDENTS**

WRITTEN ADDRESS IN SUPPORT OF MOTION

1.0. INTRODUCTION:

- 1.1. The Applicant filed this motion on notice to commit **MR. OLA OLUKOYEDE**, Executive Chairman of EFCC, to prison for contempt of court, for his refusal to obey the orders of this Honourable Court.
- 1.2. The motion is supported by a 19-paragraph affidavit and four exhibits marked as exhibits 1 - 5.

2.0. ISSUE FOR DETERMINATION

- 2.1. Whether this Honourable Court has the requisite jurisdiction to grant this application as prayed.

3.0. LEGAL ARGUMENTS

- 3.1. It is our respectful submission that this Honourable Court has the requisite jurisdiction to grant this application as prayed. We humbly refer this honourable court to the case of **AG ANAMBRA STATE v. AG FRN & ORS(2005) LPELR-13(SC)**, where the Supreme Court held as follows:

"The law in this instance is clear that it is settled that it is the unqualified obligation of every person against or in respect of whom an order is made by a court of competent jurisdiction to obey it unless and until that order is discharged and this the more so, where the person affected by the order believes it to be irregular or void. In so far as the order exists, it must be obeyed to the letter. See Military

Governor of Lagos State v. Ojukwu & Anor. (1986) 1 NWLR (Pt. 18) 621 SC. An order of court, no matter the fundamental vice attaching thereto, remains legally binding and valid until set aside by due process of law."Per TOBI, J.S.C (P. 54, paras. C-F)

3.2. My Lord, by Order 35 of the Federal High Court Civil Procedure Rules 2019, this Honourable Court is empowered to grant this application as prayed. We further refer this Honourable Court to the provisions of section 287(3) of the Constitution of the Federal Republic of Nigeria, which provides as follows:

The decisions of the Federal High Court, National Industrial Court, a High Court and of all other courts established by this Constitution shall be enforced in any part of the Federation by all authorities and persons, and by other courts of law with subordinate jurisdiction to that of the Federal High Court, National Industrial Court, a High Court and those other courts, respectively.

3.3. We submit most humbly that the 1st Respondent herein, is under strict constitutional obligation to obey the orders of the Federal High Court, wherein EFCC was restrained, whether by themselves, agents, employees, servants, privies or agents, from interfering with the personal liberty of the Applicant on a civil matter, on the basis of the same facts and circumstances, of this case. In fact, this Honourable Court, clearly held, in **Page 11**, of the said judgment, that:

"From the totality of evidence in the instant case, this is not the type of case the EFCC should get involved in. The Applicant and the 2nd Respondent both agree that there have been involved in business transactions of buying gold, wrist watches, clothes, and loaning each other monies which did not in my considered view involve any kind of financial crime or fraud or criminality. In the circumstances, there is therefore no basis for the involvement of the 1st Respondent in this matter".

3.4. We refer this Honourable Court to the case of **PEOPLES DEMOCRATIC PARTY v. AJANG ALFRED ILIYA & ORS (2023) LPELR-61537(CA)**; where it was held as follows:

When a Court of law makes an order that affects the status of a party or group of persons, it no longer lies within the discretion of that party to elect how to obey that Order or whether to obey it. Compliance to Court Order must be total and not partial. Judgments of Court must be obeyed to the latter or in full. The effect of noncompliance with subsisting Court's order will be devastatingly earth-shaking, equivalent to an earthquake. A Court of law must not only bark but must bark and bite and if situation warrants, break the bones not for anything but to teach a party in disobedience that it was a joke taken too far to overlook a subsisting order of Court and pretends as if the order does not exist. Democracy is anchored on the rule of law, not on rule of might. Where a person makes an attempt to disparage an Order of Court, the Court that made the Order or another Court of competent jurisdiction that is seised of the proceedings where the alleged disobedience is raised should do everything possible to ensure that the order is not treated with disdain. This is to maintain the integrity and sanctity of the Court of law."
Per ABANG JCA (Pp. 22-23, paras. A-C)

- 3.5. My Lord, having given judgment and made orders with respect to the case of the Applicant, the 1st Respondent ought not to have disobeyed the orders of this Honourable Court, by arresting and detaining the Applicant, on the 25th day of May, 2026, until about 7pm, on the 26th day of May, 2026, when she was released, after meeting her bail conditions, and having the international passport of the Applicant, seized from her, in flagrant disregard and disobedience to the lawful orders of this Honourable Court.
- 3.6. The EFCC, despite the subsisting orders of this Honourable Court made on the said 20th day of April, 2026, also, proffered a charge against the Applicant herein, and had the Applicant arraigned and remanded in prison custody, from 2nd June, 2026, to 10th June, 2026, on an issue that is purely civil-related, as held by this Honourable Court, in disregard and disobedience to the lawful orders of the Federal High Court, contrary to the provisions of section 287(3) of the 1999 Constitution of the Federal Republic of Nigeria (as amended). It also failed to tender appropriate public apology, as directed by this Honourable Court, in utter disobedience to the lawful orders of this Honourable Court.
- 3.7. We most humbly urge this Honourable Court to grant this application as prayed. The Applicant has established by credible evidence the existence of valid orders of this Honourable Court and the service of same on the

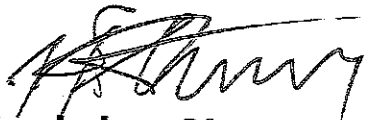
Respondents. The Applicant has also established the 1st Respondent's refusal and neglect to obey the valid orders of this Honourable Court.

4.0. Conclusion:

4.1. This Honourable Court is most respectfully urged to grant this application to protect the jurisdiction and integrity of this Honourable Court.

May it please, my Lord!

Dated this 15th day of July, 2026.


✓ **Sir, Nkemakolam Okoro S.C., Esq**
C.C Chukwu(Mrs)
Emmanuel Emerenini, Esq
Enore Omijie, Esq
Counsel to the Applicant
Suite F37 Melita Plaza
Area 11, Garki, Abuja
08033438283, 07013779779
dynamicooptionchambers@gmail.com
nsokoro@nigerianbar.ng
nsokoro@nigerianbar.ng

The 1st Respondent & Contemnor
C/O Counsel
Attah Monday Ocholi Esq
The Economic and Financial Crimes Commission
EFCC Headquarters
Jabi, Abuja,
08036009577
Attah-ocholi@yahoo.com

2nd Respondent
Halima I Alfa
Lebo-Albert Ekito A.
Fatima Oiza Idris
Emmanuel Onah
Nasiru Arikushola
Halima Alfa & Associate
Halima Alfa Chambers
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08037515832, ekitola@yahoo.com
Halima.alfa@halimachambers.com