

# Court orders Kanu's release, five die as pro-Biafran supporters, soldiers clash

Ade Adesomoju, Ihuoma Chiedozie  
and Tony Okafor

**N**O fewer than five persons died in Onitsha on Thursday following the wild jubilation that greeted the court judgment, ordering the release of the leader, Independent Peoples of Biafra and Director of Radio Biafra, Mr. Nnamdi Kanu.

Twenty persons were also said to have sustained varying degrees of injuries after the supporters reportedly clashed with some soldiers and policemen in the Anambra State commercial city.

According to a source, who spoke to our correspondent on condition of anonymity, trouble began when soldiers and other security agencies on guard clashed with the pro-Biafran jubilant agitators.

The incident, which occurred at the Onitsha end of the Niger Bridge, reportedly caused panic among motorists and commuters, who fled in different directions to safety.

The IPOB members had, on hearing the court's verdict ordering Kanu's release, converged on the location of the statue of the late Dim Chukwuemeka Odumegwu Ojukwu in large numbers for a procession.

Their celebration was, however, cut short following the intervention of soldiers and policemen, who arrived at the scene to put them in check.

"When the jubilant IPOB members were asked to stop their march towards the Niger Bridge, the group bluntly refused, and this triggered a disagreement between the traders and IPOB members and later degenerated into violence," an eyewitness told one of our correspondents.

"It was at this juncture that the soldiers started shooting sporadically, probably in a bid to scare away the crowd of IPOB members, that the five IPOB members were killed by stray bullets."

In the confusion, motorists and commuters, who could not bear the heavy gunshots, jumped out of their vehicles and ran in different directions.

"The IPOB members threw pebbles at the soldiers, who retaliated by shooting at them," the source added.

The Chairman of Fundamental Rights League International, Mike Umezulike, condemned the alleged killing, saying the protest of the IPOB members was peaceful, wondering why the soldiers would shoot at them.

Umezulike said, "Do you know that the Naval officers at the Uga Junction always order civilians to frogmarch whenever they commit any minor offence like crossing the

expressway without using the pedestrian bridge?

"Sometimes, they will order the offenders to kneel down and carry tyres up and also to climb the electric pole. This is inhuman and an act of wickedness and I believe that their commander may not know the atrocities these officers commit at Uga junction on a daily basis."

The Police Public Relations Officer in the state, Ali Okechukwu, who spoke to one of our correspondents on the telephone, said, "Only three are feared dead."

Okechukwu added that one person was in a critical condition in a military hospital.

The PPRO explained that the military commander in the state had told him that trouble began "when the IPOB members attacked one of his captains".

In Enugu, members of IPOB and the Movement for the Actualisation of the Sovereign State of Biafra took to the streets to celebrate the release of Kanu.

The pro-Biafran agitators, numbering over a thousand, sang solidarity songs as they paraded the streets with Biafran flags in a peaceful rally.

The groups had earlier in November held a rally in Enugu demanding Kanu's release as well as the recognition of Biafra as an independent country.

Governors of the South-East states had, during a meeting in Enugu, agreed to hold a dialogue with the Federal Government over the renewed pro-Biafran agitation in the region.

In Port Harcourt, some members of MASSOB and IPOB converged on the Olu Obasanjo Road, drumming and chanting Biafra's 'Freedom is now'.

A Federal High Court in Abuja had, earlier on Thursday, ordered an unconditional release of Kanu, from the custody of the Department of State Services.

Justice Adeniyi Ademola, in a ruling on Kanu's bail application, held that his continued detention for about two months without any pending charges against him was in breach of the provisions of Section 34 of the Constitution.

The judge upheld the contention of Kanu's lawyer, Mr. Vincent Obeta, and set aside an order, which he (the judge) granted the DSS on November 10, 2015, permitting the security agency to keep Kanu in its custody for 90 days.

Earlier on Wednesday, a Magistrate's Court in Wuse Zone 2 of the Federal Capital Territory, Abuja, struck out the charges instituted against Kanu by the DSS.

Kanu was arrested on October 14, 2015 in

Lagos and arraigned before the Magistrate's Court in Abuja on October 19.

DSS had, on November 22, applied for the discontinuance of the case before the presiding Chief Magistrate, Shuabu Usman, to enable it to file charges of terrorism and terrorism financing against him in a court with requisite jurisdiction.

But Justice Ademola ruled on Thursday that the continued detention of the pro-Biafran leader for over two months showed that the DSS lacked sufficient material to prosecute him or had yet to make up its mind to do so.

"The respondent does not have enough materials to prosecute the applicant or the respondent has yet to make up its mind to prosecute him.

"While the respondent is pondering, this court holds that the detention of the applicant for more than two months without any pending charges against him is contrary to Section 34 of the Constitution," he said.

The judge held that the provisions of sections 158, 164 and 165 of the Administration of Criminal Justice Act made the granting of bail to an accused more liberal.

He held that from the facts in the applicant's supporting affidavit and the counter-affidavit by the DSS, it was obvious that "the state has no sufficient material to prosecute the applicant" and that by admission of the lawyer to the DSS, Mr. Moses Idakwo, "there is no pending charge against him (Kanu)".

The judge therefore set aside the order of permitting the DSS to keep him in custody for 90 days.

"By the admission of the respondent that there is no pending charge against the applicant, the applicant is hereby released unconditionally," the judge ruled.

But the judge rejected a prayer by Kanu asking for an order voiding Section 27 of the Terrorism (Prevention) Act 2013, which empowers the court to grant an order remanding a terrorism suspect, who is under investigation, for a period of 90 days at the first instance.

The judge noted that such provisions were found in the laws of the United States of America, France and other developed countries.

"The United States, France, etc all have this kind of legislation and there is nothing unusual about it," Justice Ademola ruled.

Kanu was, however, not released immediately because the process for the release had not been completed, according to his lawyer.