

**COMMONWEALTH OF THE BAHAMAS
IN THE SUPREME COURT
CRIMINAL LAW DIVISION
2005/CRI/bail/00169**

BETWEEN

REGINALD CHASE

Applicant

AND

DIRECTOR OF PUBLIC PROSECUTIONS

Respondent

Before: The Hon. Justice Neil Brathwaite

**Appearances: Ms. Tamika Roberts for the Applicant
 Mr. Akire Nicholls, Ms. Betty Wilson for the Respondent**

Hearing Date: 20th October A.D. 2025

Ruling Date: 17th November A.D. 2025

RULING ON BAIL

[1.] The Applicant seeks bail on a charge of Murder. He was arraigned in the magistrate's court on the 3rd July 2023, and trial of the matter is set to begin on 8th December 2025. He admits that he has previous convictions, and one pending matter for Rape, and claims that prior to his incarceration he was employed as a Tile Layer. He maintains his innocence, and suggests that if not granted bail he will be disadvantaged in his ability to prepare his defence, and in his ability to support himself and assist his family which includes six children.

[2.] In opposing the application, the Respondent proffered the affidavit of Ashton Williams, an attorney in the office of the Director of Prosecutions, to which is attached the statement

of a witness who alleges that he was present and saw the Applicant slam the deceased's head into a wall before striking the deceased in the chest with a baseball bat. The death certificate indicates that the victim died as a result of blunt force trauma to the head and torso. The Applicant was also interviewed, and admitted knowing the victim and being at that location on the relevant date, but he denied harming the deceased. The Respondent also notes that the Applicant has one other pending matter, and a number of antecedents including two convictions for Threats of Harm in 2004 and 2014, Assault, Resisting Arrest, and Assaulting a Police Officer all in 2019, Violation of Lockdown and Assault with a Dangerous Instrument in 2020, and Assault with a Dangerous Instrument and Threats of Death in 2021. It is further noted that the Applicant was on bail at the time he was charged with the present offence.

[3.] Counsel on behalf of the Applicant relies on the constitutional presumption of innocence, and sought to attack the credibility of the key witness. She further submits that there is no evidence to suggest that the Applicant is a flight risk or will interfere with witnesses, and suggests that conditions can suffice to ensure the attendance of the Applicant at trial.

[4.] In response, the Respondent submits that the evidence is cogent, that the Applicant was on bail for another offence when he was charged with the present offence, and that the Applicant has previous convictions for violent offences, and has another pending matter of a violent nature. The court was urged to conclude that the Applicant is not a fit and proper candidate for bail, and to deny bail on the basis of public safety, as well as to prevent the likelihood of reoffending.

[5.] The Applicant in this matter made a previous application for bail, which was refused in March 2024. In a written decision refusing bail on that occasion, and having considered the relevant factors, I wrote the following:

“15. In my view, the evidence in this case is cogent, and certainly rises to the level of a prima facie case as is required at this stage. It is also clear that the witness is known to the Applicant, which might cause an issue with respect to interference with witnesses.

16. I am also extremely concerned that the Applicant has a number of antecedents, several of which involve violence and the threat of violence. The Applicant now faces another charge involving the use of violence. It is also noteworthy that there are two convictions for Assault with a Dangerous Instrument. While counsel has submitted that the antecedents are minor, the only difference is

the outcome of the assault, which in this case is alleged to have resulted in death. In these circumstances, I am satisfied that there is a reasonable basis to conclude that the Applicant would re-offend if released on bail, and also that there is a serious concern for public safety, which is a primary factor in considering the grant of bail.”

[6.] Counsel for the Applicant did not suggest that there had been any change of circumstances in this matter, and indeed had not been instructed that there was a previous application. In my view, the only change of circumstances is the passage of time, which must also be balanced against the fact that a trial date is imminent, as well as the fact that even if that trial does not proceed, the Applicant would still not in my view have been in custody for an unreasonable length of time. I accept that an Applicant is not prohibited from making a fresh application for bail, and that the Court is required to consider each application. However, in the present circumstances, I see no basis for arriving at a conclusion different from my previous decision. Having considered the matter, I remain satisfied that the Applicant is likely to reoffend if released on bail, and that there is serious risk to public order and safety given the antecedents of the Applicant. I am further satisfied that conditions would not suffice to ameliorate those concerns.

CONCLUSION

[7.] In the circumstances and having regard to the foregoing reasons I find that the Applicant is not a fit and proper candidate to be admitted to bail. Bail is therefore denied.

Dated this 17th day of November A.D., 2025



**Neil Brathwaite
Justice**

