

COMMONWEALTH OF THE BAHAMAS
IN THE SUPREME COURT
CRIMINAL LAW DIVISION
2025/CRI/bail/00027

BETWEEN

DAVAN BRENNEN

Applicant

AND

DIRECTOR OF PUBLIC PROSECUTIONS

Respondent

Before: **The Hon. Justice Neil Brathwaite**

Appearances: **Mr. Murrio Ducille KC, Mr. Brian Bastian for the Applicant**
 Ms. Destiny Morley, Ms. G'Ann Hepburn for the Respondent

Hearing Date: **29th June A.D. 2026**

Ruling Date: **20th July A.D. 2026**

RULING ON BAIL

[1.] The Applicant in this matter stands charged with the offences of Murder, and Abetment of Murder, having been arraigned in the Magistrate's Court on 3rd February 2025. He is thirty-two years old and a Bahamian citizen, and was employed as a technician at ALIV prior to his incarceration. He has no previous convictions or other pending matters, and states that if denied bail he will be disadvantaged in his ability to prepare his defence and support his family, inclusive of one child. The backup trial date in the matter is set for October 2026.

[2.] The Applicant has been refused bail on two occasions, most recently on 10th November 2025. An appeal against that refusal was dismissed on 4th May 2026. The application is now renewed, with counsel submitting that there is no evidence to support the charges,

nor any evidence to support a contention that the Applicant is a danger to witnesses or to the public, or that the Applicant will abscond.

[3.] Having previously considered this matter on two occasions, while I accept that the Applicant is entitled to again apply for bail, and that the court is required to consider every application. Bail has been twice refused, with no error identified by the Court of Appeal in reviewing the most recent refusal. Further, counsel has not pointed to any change of circumstances sufficient to cause the court to arrive at a different conclusion.

[4.] Having considered the matter, for the reasons set out in my previous decisions, I remain satisfied that the Applicant is not a fit and proper candidate for bail. The Application is therefore refused.

Dated this 20th day of July A.D., 2026

A handwritten signature in black ink, appearing to read 'Neil Brathwaite', written in a cursive style.

Neil Brathwaite
Justice