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COMMONWEALTH OF THE BAHAMAS
IN THE COURT OF APPEAL
SCCrApp & CAIS No. 104 of 2021

Lavardo Rahming

Appellant

vs

Director of Public Prosecutions

Respondent

(Bail)

Before: The Hon Sir Michael Barnett, President
The Hon Mr Justice Isaacs, JA
The Hon Madam Justice Crane-Scott, JA

Mr Ryszard Humes, Counsel for Appellant
Ms Zoë Bowleg, Counsel for Respondent

23 August 2021

1 The oral judgment of the court was delivered by

2 Sir Michael Barnett, P:

3 The court is satisfied that there is no basis for us
4 to interfere with the exercise of Justice Turner's discretion
5 in refusing to grant bail to the appellant. The judge, in our
6 view, took into account the materials that he ought to have
7 taken into account and did not take into account anything that
8 he ought not to have taken into account. We are mindful of
9 the fact that three (3) years have passed since the order for
10 the retrial and the hearing of the retrial. That is the basis
11 upon which Justice Turner has ordered a fixture to be heard
12 this Friday, 27th August.

13 We are very mindful of the fact that bail had been
14 granted to the appellant on a previous occasion and the
15 appellant did breach his bail conditions by absconding in the
16 middle of his first trial. That is a very material
17 consideration in the granting and denial of the bail.

18 In the circumstances, the appeal is dismissed and
19 the appellant is to return to Justice Turner on Friday for him
20 to consider the further adjudication of this case.

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Dated this 23rd day of August, 2021

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SIR MICHAEL BARNETT, P

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ss