

Common intention

Penal Code, 1860 (IPC), Section 34, 302, 324, 325 and 323 - Murder - Common intention - The number and nature of hard blunt injuries on the two deceased make it apparent that the assailants were more than one - Injuries by hard and blunt substance corroborate the evidence of the injured witnesses and of assault on the two deceased by lathis also - Common intention is evident from the accused persons coming to the lands of PW-1 armed and intimidating him to return the lands followed by assault upon him and those who came to his rescue - The accused then immediately proceeded to the house of the second deceased - The recovery of a bloodstained lathi and bloodstained clothes of the appellant on his confession, leaves us satisfied, on a cumulative appreciation of the evidence, that the accused were actuated by a common intention - Conviction upheld.

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